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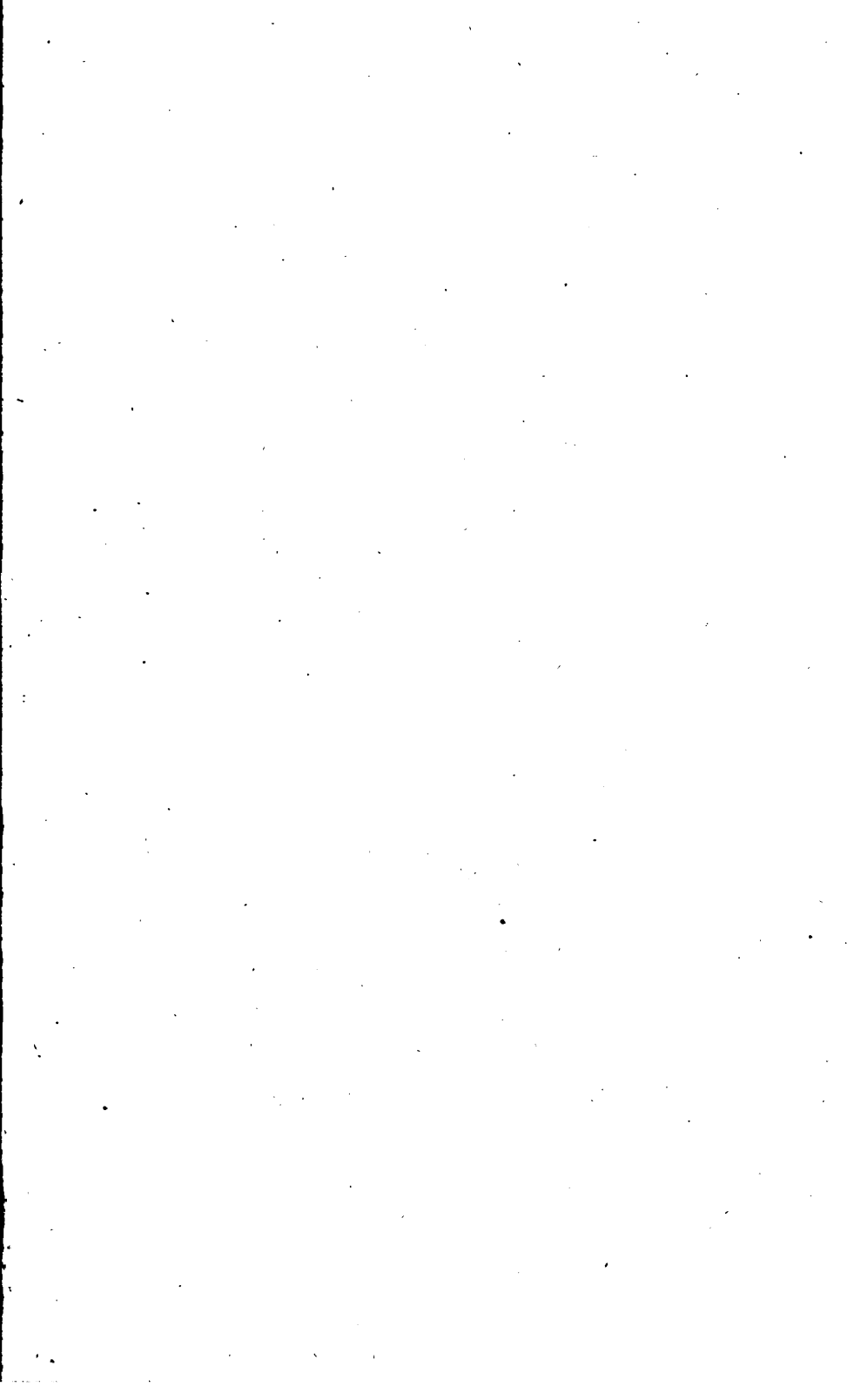
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IRISH CHURCH

A Speech

W. A. Gladstone

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# THE IRISH CHURCH.

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## A SPEECH

DELIVERED IN THE HOUSE OF COMMONS ON MARCH 1. 1869.

BY THE RIGHT HON.

W. E. GLADSTONE, M.P.

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1869.

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## SPEECH OF MR. GLADSTONE

ON THE

### ESTABLISHED CHURCH (IRELAND).

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MR. GLADSTONE :

The Motion, Sir, which, in concluding, I shall propose to the Committee is—

“That the Chairman be directed to move the House, that leave be given to bring in a Bill to put an end to the Establishment of the Church in Ireland, and to make provision in respect of the Temporalities thereof, and in respect of the Royal College of Maynooth.”

I do not know, Sir, whether I should be accurate in describing the subject of this Resolution as the most grave and arduous work of legislation that ever has been laid before the House of Commons; but I am quite sure I should speak the truth if I confined myself to asserting, that there has probably been no occasion when the disproportion was so great between the demands of the subject that is to be brought before you, and the powers of the person whose duty it is to deal with it. I will not, however, waste time in apologies that may be considered futile; and the rather, because I am conscious that the field I have to traverse is a very wide one, and that nothing but the patient favour and kindness of the Committee can enable me in any degree to attain the end I have in view—namely, that of submitting with fulness and with clearness both the principles and the details of a measure which, as far as regards its principles is singularly arduous, and as far as regards its details, must necessarily embrace matter of a character highly complex and diverse.

Now, Sir, I cannot but be aware that, under ordinary circumstances, any one, who undertakes to introduce to the House of Commons a proposal of grave constitutional change, ought

The circumstances of the case a sufficient excuse for not going into the historical and political reasons which justify the measure.

to commence by laying his ground strongly and broadly in historical and political reasons. On this occasion I shall feel myself in the main dispensed from entering upon them. Under ordinary circumstances, in discussing the subject of the Church of Ireland—I mean, had nothing already occurred in this House or elsewhere in relation to it on which I might take my stand—I should endeavour to pass in review the numerous—I might say the numberless, and powerful arguments which, in my opinion, may be adduced to prove that this Establishment cannot continue to exist with advantage to itself or without mischief to the country. I should be prepared to show how many benefices there are in Ireland where, although there is a Church population, it can hardly be said to be more than an official Church population; for the congregations of those benefices are too often restricted to such as we may reasonably suppose to be supplied by the families of the clergyman, the clerk, and the sexton. I should show, Sir, how buttresses have been devised for the maintenance of this extraordinary system, in the shape of those grants from the Consolidated Fund in this country,—on the one hand to the Presbyterians under the form of the *Regium Donum*, and, on the other hand, to the Roman Catholics under the form of the Maynooth Grant,—without which it was felt that the maintenance of such an establishment in Ireland would be intolerable and impossible. I should endeavour to show how Parliament had been so conscious of the difficulties attending the position which it has held, that it has actually been reduced upon more than one occasion to waste away, by positive provisions of legislation, the property of the Church, in order that its magnitude, when compared with the duties to be done, might not too much shock the public mind. I should endeavour to show how, in past times, and through all the evil years of the penal legislation that has affected Ireland, the authorities of this Established Church have unfortunately stood in the foremost rank with respect to the enactment of those laws on which none of us can now look back without shame and sorrow. These chapters of debate, happily, I need not open.

Sir, of the Established Church in Ireland I will only say that, although I believe its spirit to have undergone an

immense change since those evil times, yet, unfortunately, it still remains, if not the home and the refuge, yet the token and the symbol of ascendancy; and, so long as that Establishment lives, painful and bitter memories of ascendancy can never be effaced.

But, ~~Sir, instead of lengthened discussion upon this and kindred topics~~, I hope I shall be sufficiently justified, by a reference to recent and patent occurrences, in passing at once to the measure of the Government. In mere form, without doubt, this motion is the first—the very first—stage of a great political measure, liable and open at every point to controversy; but in substance we cannot dismiss from our view that we are virtually taking up, and are bound to prosecute, the unfinished labours of last year. I refer to those debates, which formed the main, almost the only, subject of party difference in the discussions of this House during the Session of 1868. I refer to the large majority which, in a House of Commons undoubtedly most conservative in its general spirit, affirmed, notwithstanding, the necessity of bringing the system of religious establishment in Ireland to a close. I refer to the autumn, spent in incessant discussions of this subject before every constituency in the country. I refer to the elections, in which the issue so clearly put was not less decisively answered. And lastly, but not least, I refer to that resignation of the late Administration on which I have not to pronounce one word of censure, but about which I am sure I am justified in stating that it was an unusual course. I have neither to pronounce nor to insinuate any blame; but assuredly I am justified in saying that it forms the most emphatic testimony to the character of that judgment, which has already been pronounced by the representatives and by the people of the Three Kingdoms.

*mandate*

Nor shall I dwell in any detail upon the counter-arguments which have been ably, sincerely, and persistently used in defence of the Established Church. If I now refer to them, it is to do little more than to say that we are responsible for this measure, and shall be ready upon every due occasion, with all respect to those who oppose us, to meet those counter-arguments.

And also for not dwelling on the counter-arguments brought forward on the other side.

It is said, that the measure we are about to introduce will

be adverse to religion. I believe it to be favourable to religion, and to be essential to the maintenance of those principles of right on which every religion must rest. We shall be told, more especially, that it is adverse to the interests of Protestantism; but we shall point to the condition of Ireland, and shall argue from the facts of that condition that the interests of Protestantism have not been promoted, but, on the contrary, have been injured, by our perseverance in a system which reason does not justify. We shall be told, perhaps, that we are invading the rights of property. No possible confidence can be greater than the confidence with which we shall meet that argument. On former occasions, indeed, things have been done by Parliament, under the extreme pressure of the case, which it may be difficult to reconcile with the extreme assertion of the rights of property. There are clauses, and important clauses, of the Church Temporalities Act of 1833, which greatly strain the abstract theory of the rights of property, and which I, for one, am totally unable to reconcile with its general rules. But, so far as I know, there is no imputation that can fairly be made against the measure we propose with respect to the rights of property by any other persons than those who hold what appears to me the untenable—I may even say the extravagant—doctrine, that although Parliament has a perfect right to direct the course of the descent of property in the case of natural descent, of lineage by blood, yet it has no right, when once the artificial existence of what we call a corporation has been created, to control the existence of that corporation, or to extinguish it even under the gravest public exigency. We shall be told also of the Act of Union; and I cannot, nor shall I attempt to dissemble that, on a point which has been described as essential, we propose to alter that Act. The Act of Union has been altered on other occasions, though never for so grave a cause as this; but we shall confidently contend that while we are altering this particular provision of the Act of Union, we are confirming its general purport and substance, and labouring, to the best of our humble ability, to multiply those roots which unfortunately it has never yet adequately struck into the heart and affections of the people. And lastly, Sir, this claim I, for one, confidently,

Mild  
Carington

boldly make on behalf of the measure that we are introducing: I say we are giving effect to the spirit of a former policy. The great Minister, who proposed the Act of Union, neither said nor believed that it would be possible, under a legislative Union, to maintain the system of religious inequality, which he found subsisting in Ireland. On the contrary, he has left upon record his strong conviction that the countenance and support afforded from national sources to the Established Church must be extended to the other religions of the country. I admit that we pursue religious equality by means different from those proposed by Mr. Pitt—[Mr. NEWDEGATE: Hear, hear!] but by means, as I believe, better suited to the purpose we have in view, and certainly more consonant to the spirit, to the opportunities, and I will add to the possibilities, of the times in which we live. Be that, however, as it may, and with all that allowance for difference of means, the end we have in view is the same, and for that end we are entitled to quote the great authority of Mr. Pitt, and the authority of many of those who have followed him in their public career.

Sir, having referred to what I venture to call—although not in any technical or formal sense—the previous stages of this measure, I will briefly remind the Committee of the character of the general declarations by which the late House of Commons was moved to action, and of those pledges—for I do not hesitate to recognise them as such—before the country, which we are now called upon to do our best to redeem. I think, Sir, it was well understood to be the view of those who supported the Resolutions of last year that the system of Church Establishment in Ireland must be brought thoroughly and completely to a close; and that although the word “disendowment” was never embodied in any Resolution of this House, nor, so far as I recollect, was ever accepted without qualification in the speeches of those who most prominently supported the Resolutions in debate, yet, as a general rule, and for every substantial purpose and effect, an end must likewise be put to the system of public endowment for religion in Ireland. While the principles of the measure were laid thus broad and deep, it was likewise professed, and,

The general principles to which the House of Commons committed itself last Session.

I think, to a great degree, accepted by the House, that in all the details, in all the modes of application, the rules not only of justice, but of equity, and not only of equity, but, within every reasonable limit, even of indulgence, should be followed.

The measure ought to be prompt in its operation,

and final, and complete.

And while the measure was thus to be thorough, and thus to be liberal, there are two other great characteristics which, in order fully to realise the desire we entertain, it ought to possess. The first of these, Sir, is, in my judgment, that the measure ought to be prompt in its operation; for it is not for the interest of those with whom we deal, any more than it is for the interest of the country, that—I will not say the Irish Church, but—the Irish Establishment should be subjected to the pains of a lingering death. That promptitude of operation cannot be absolute; it must necessarily be checked by considerations arising out of the vested interests with which we have to deal. But yet, subject to those rules of right and of prudence, it is an object which we ought to have in view in the prosecution of our work. And, lastly, Sir, there is another characteristic which, perhaps, has hardly yet been mentioned in debate, but which appears to me second to none in its importance as determining the value of the provisions of a measure such as this. It is, that the legislation which we now propose, so far as the Irish Church is concerned, so far as the subjects of religious controversy growing out of legislative establishment in the sister island are concerned, shall be final legislation; that it shall put away, out of sight, out of hearing, out of mind if it may be, this long-enduring controversy—a controversy of many generations; and that even should it necessarily happen, as commonly happens in the train of great Statutes, that in this or that point of detail it may require to be either developed or amended, yet the Bill which we propose shall leave no question of principle unsolved, and shall permit every man who takes part in its discussion to hope that when it finally departs from within the walls of Parliament, we shall have heard the very last and latest of the controversy on the Irish Church.

Subject, then, to these great principles, it is our duty—and

I am sure it will be recognised to be our duty—to seek every means of softening the transition that is about to be effected. We must not disguise from ourselves that we are calling upon persons, upon large classes, upon individuals entitled to great respect, to undergo a great change in their position, under the direct action of law. And every motive, that can appeal to the feelings of men of honour and feeling and of gentlemen, must lead us, I think, to own it for a duty so to proceed, that this measure shall carry with it no unnecessary penalty or pain.

Sir, I am bound to say that I think many of those, who may be expected and considered to take a special interest in this measure, have given us in this respect much encouragement. There are many eminent persons in Ireland connected with the Church who have shown a great disposition to meet us in the fair field of discussion, to recognise the judgment which has been pronounced at the tribunal of the nation, and to endeavour to arrive at a just and equitable settlement. Nay, more; even upon that Episcopal Bench of England, from which oftentimes no sounds but those of undying resistance have proceeded, there have been signs upon very recent occasions of a sense that it is a grave duty to look to the future interests of the Church as well as of the Establishment—of the religion, as well as of the property with which it is endowed. And those counsels of moderation, which impose on us corresponding obligations, are likely to prevail, as we may hope, in those quarters during the coming discussions. In Ireland, indeed, it has been left only to one single Prelate—the Bishop of Down—among the Episcopal Order courageously to take his stand on behalf of the principle of settlement and accommodation; and yet I cannot but hope and believe that there are many, even among his episcopal brethren, who are by no means disposed either to prolong the hopeless struggle, or to make demands upon Parliament, as terms of surrender, which it would be impossible for Parliament to grant.

And now, Sir, I think I may say that I will not trouble the Committee further upon general considerations connected with this measure, but will at once proceed to use the best efforts in my power to convey its character and all its leading provisions to the minds of the Committee, as nearly as I can

Many Irish Churchmen disposed to accept an equitable settlement.



Three essential points of time in carrying out the provisions of the Bill.

in the same light, and in the same form, as they present themselves to the minds of the Government. And I think, Sir, searching for a key, by which I may suggest to the gentlemen who hear me the best and most likely method of clearly apprehending the nature of the provisions of the Bill that I now hold in my hand, I will venture to direct their special attention to some points of time; not, indeed, to all the points of time, because some points of time have of necessity been named for secondary and minor purposes; but to the three which I may call essential points of time. With reference to these I will endeavour to state the whole provisions and operation of the Bill, so that the Committee may have, as far as depends upon me, a clear and thorough understanding of the manner in which we shall endeavour to give effect to the judgment of Parliament and of the country.

I. The passing of the Act:

The first of these points of time is the passing of the Act; and I will first describe such of the effects of the Act as are to ensue either immediately upon its passing, or in the provisional and preparatory period which will immediately follow its passing. The second of these points of time is a day named in the Act. At present it stands as the 1st of January, 1871; affording an interval between the passing of the Act—should it, as I trust it will, become law during the present Session—of about eighteen months, or something less, for the preparatory arrangements. But with regard to that day I will presume to say that, while we believe it is distinctly for the interest of the Church itself that this intermediate period should not be too long, and while it is the absolute limit of time which we have thought the best, yet it does not constitute a point of the measure to which, in case the limit is found to be too narrow, we should think ourselves irrevocably pledged. The 1st of January, 1871, therefore, constitutes the second point of time. The third point of time is one which we cannot define as a particular date; but I can describe it by stating the events which will bring it about. It is the point of time at which it shall be decided by the proper authorities that all the subsidiary arrangements connected with the winding up of the Establishment of the Irish Church have been completed, and that thenceforth nothing

III. Whenever the process of disestablishment and disendowment has been completed,

remains to be done except finally to apply the property of the Irish Church, which will then have discharged every prior claim upon it, and will remain free for the purposes which Parliament may think fit to indicate.

Begging the Committee to bear in mind these three points of time, I will now proceed to describe that portion of the effects of the measure which will follow immediately upon the passing of the Bill. It is provided in almost the earliest clauses that the present Ecclesiastical Commission, which was appointed for the purpose of administering the Church Establishment and not for the purpose of bringing it to an end, shall be wound up. In lieu of it new Commissioners will be appointed, whose names we shall, at a proper time, propose to insert in the Bill. We think very highly of the responsibility of their functions; and we are very desirous that the men who may be proposed to discharge those functions should be men to whom Parliament shall have already, for the purposes of the measure, given its general approval. We shall propose that this Commission shall endure for ten years; estimating, as far as present circumstances permit us to do, that this will be a term ample or sufficient for all the numerous and diversified purposes they will have to prosecute. In this Commission, upon the passing of the Bill, the entire property of the Church in Ireland will vest, subject to life interests. The Committee will at once see the importance of that enactment. As far as legal and technical disendowment is concerned, it will have occurred on the day when the measure shall have received the Royal Assent, because there will no longer remain in the Church of Ireland any title whatever to its property other than that of the Commissioners, qualified only by those temporary titles which we propose that Parliament should recognise. And all the subsequent arrangements, which may be found necessary, connected with fabrics or with any other points of the question, will be, in a technical, though in no other sense, in the nature of a re-endowment, and will be brought by me separately under your consideration.

the Ecclesiastical Commission shall be abolished, and a new Commission appointed for a term of ten years, to work out the machinery of disestablishment.

Then, Sir, next to the vesting of the property, I have to mention the provision we propose to make for the government and management of the Church during this intermediate

period. Last year we proposed, and passed through this House a Bill, which suspended every appointment in Ireland from the day of its falling vacant; and we trusted entirely to collateral and subsidiary provisions of the law to furnish a supply for the time being of such assistance, as might be necessary for the actual discharge of duties until Parliament should give its further judgment. Now, Sir, it appears to be plain, on the one hand, that those provisions, which I think were very well adapted to the object we had in view last year of reserving the whole matter for the further judgment of Parliament, are not so well adapted to the purpose we now have in view; that is, to apply definitive legislation to the determination of the whole question. On the other hand, it appears to us to be equally indisputable that there is one thing, which we could not consistently or properly allow to be done during this intermediate period. We could not properly allow, after the passing of the Act, the creation of new vested interests for life. We have therefore endeavoured to steer as fairly as we can between these difficulties; on the one side, proposing not to be parties to the creation of new vested interests, which I think every one will see would from our point of view be highly inconsistent; and, on the other side, being equally anxious that the Irish Church, at a period when all its Ministers and members will be called upon to exert themselves to the utmost in preparing for the future, should not be subjected to the disadvantage of a crippled ecclesiastical organisation. What we, therefore, propose is, that appointments may be made, generally speaking, to the spiritual offices without investing the person appointed with a freehold; that such person may receive during the interval the income, as nearly as it can be calculated, which he would have received if he had taken the freehold in the ordinary course, but that his title to it shall terminate when the provisional period is at an end, and when the links which connect the Establishment with the State are finally broken. With respect, in particular, to episcopal appointments, the provision we propose is as follows. We think it very desirable, after once the Statute shall have passed for disestablishing the Church, to separate the Crown from the exercise of its old Prerogative within the Church. We therefore propose that

Filling up  
of vacancies  
during the  
period of  
transition.

episcopal appointments may be made by the Crown, but only on the prayer of the Bishops themselves of the provinces of Ireland to consecrate a particular person to a vacancy. Such appointment, if made, will carry with it no vested interest, nor would it carry with it any right of peerage. The Irish Church, being engaged in perfecting its organisation for the future, will probably desire to have none among its sees or perhaps even rectories vacant, but to have, so to speak, a staff fully adequate to deal with the coming contingency. With respect to the exercise of Crown patronage as to livings, our view is this. While we take it for granted that, at any rate as a general rule, these livings would be filled up in the interval, they would be filled up on the same footing as bishoprics. In regard to the temporalities, the present Advisers of the Crown, in making appointments wherever they have by law a right of patronage, would desire to be guided, within the limits of reason, by the advice and recommendation of the ecclesiastical authorities. I think that is all I need say as regards the intermediate system that we shall now propose in lieu of the suspensory clauses of the Bill of last year; except that in one point they would correspond more strictly with the provisions of the Bill—namely, in this, that the Commissioners would be inhibited from laying out money for permanent purposes, such as the building of new churches during the interval, and would only be authorised to expend money for the purpose of substantial repairs, for the fulfilment of engagements actually entered into, and for the necessary charges for the becoming performance of Divine worship in the same manner as heretofore. So much for the scheme in relation to suspensory clauses.

The next important enactment which will take effect immediately on the passing of the Bill is this. It is well known to the Committee that certain disabilities affect the collective action of the clergy in Ireland, and although the Convocations of England sit and have just been sitting, yet it is not in their power to pass, or even to discuss with a view to passing, any canon, or regulation in the nature of a canon, without the assent of the Crown. In Ireland the case is different, and more adverse to the action of the Church; for there the Convocation has in point of fact never acted at all.

Obstacles to the revival of the Convocation of the Irish Church.

excepting upon some very few occasions which may be specially pointed out; and the latest of those occasions, if I remember right, was a century and a half if not fully two centuries ago. But besides the total disuse of that ecclesiastical machinery, and the difficulty in which the Crown is placed, when it is called upon to revive or be a party to the revival of that which has never worked at all for 200 years, and with respect to the working rules of which there are, even among lawyers, very grave doubts, there are in Ireland special provisions of the law called the Convention Act, which, though passed for purely political purposes, has the effect of preventing the clergy and laity of the Church from meeting in any general assembly. It is understood, I believe, that the clergy and laity of a Diocese may meet; but that the Church at large is incapacitated from meeting.

The Church, when dis-established, should have complete freedom; and this does not involve separation from the Church of England.

Now, it will, I presume, be deemed on both sides of the House to be obviously just and necessary, that all disabilities whatsoever, which in any manner fetter the action of the Church, with reference to legislation for the future—and when I speak of legislation I mean private legislation having for its subject matter voluntary contracts and regulations—ought, upon passing a Disestablishment Act, to be at once and entirely swept away. When I speak thus, let it not be supposed that I intend to insinuate any opinion to the effect that such a measure either is likely to cause, or ought to be wished or desired to cause, a religious or spiritual separation between the Church of Ireland and the Church of England. The words of this measure have been carefully considered in reference to the Act of Union, so as to limit, as far as lies in our power, their repealing force to the establishments of those Churches; and we have been very desirous to do nothing which could possibly be held to interfere with their ecclesiastical relationship. At a later period I shall have to state to the Committee what we have thought it our duty to propose, in order to prevent any kind of shock to their internal condition. But of this I am persuaded, that the best friends of religious union between the Disestablished Church in Ireland and the Established Church in England will be those, who will most completely assert the liberty of the former to take its own course. Were we to attempt to

*Simply  
disestablishing  
may interfere*

apply to them constraint even in the faintest and feeblest form, for the purpose of seeking to secure their union with us, we should, I believe, engender a re-action, even if such a proceeding were not open to the more palpable and obvious objection that, considering the general scope of our Bill, it would be a proceeding totally and radically unjust.

These, I think, are the positive and most important provisions which we propose as provisions which are intended to take effect simultaneously with the passing of the Bill. There is, however, another provision, for the operation of which we cannot precisely fix a time, because it does not depend altogether on our choice, but which this appears to me to be the proper place to mention. Inasmuch as there must necessarily grow out of the present position of the Church in Ireland, its property, and arrangements, a number of measures that in winding up this great system will have to be considered and discussed between some authority on the part of the State and some authority on the part of the Church, the course which we propose to Parliament to take is as follows. We presume that, during the interval which the Bill will create after the disabilities are removed, the Bishops, Clergy, and Laity of the Church of Ireland will proceed to constitute for themselves, in the same manner as other religious communions have done, something in the nature of a governing body. We therefore take by this measure power to Her Majesty in Council—not to create such a body, but to recognize it when created; and we seek to avoid making Her Majesty the judge, either directly or by implication, whether this body is or is not for all purposes created wisely and well. But in the enacting words of the Bill we should direct the attention of the Crown solely to one point; that it must be a representative body, representative alike of the Bishops, Clergy, and Laity. In point of fact, Her Majesty's Advisers would have to act simply as a jury, and to satisfy themselves that this body so constituted, according to the will and judgment of the Church, fulfilled in good faith the character of a representative body. Her Majesty would then recognize that body as such, and it would become incorporated under

Future organization of the Irish Church.

*Calder point out*  
*131* →  
*document*

the provisions of the Act, for the purposes which I shall have presently to describe.

Now the Committee will see how far we have travelled. We have passed through our provisions for the intermediate period; and we are coming to the day fixed in the Act for the principal and conclusive provisions of the Bill to take effect. We have, you will observe, got in operation a Commission, which is to be the organ of the State in giving effect to the whole of our arrangements; and we have given time and every facility which properly belongs to us, not for bringing into operation, but for permitting to come into operation, that organ which we presume the members of the Church of Ireland will appoint, in order to transact their share of the complicated business which will remain to be transacted.

I now come to the second and most important period of time, which stands at present fixed in the Bill as the 1st of January, 1871. On that day, according to the provisions of the Bill, the union created by Act of Parliament between the Churches of England and Ireland would be dissolved, and "the said Church of Ireland hereafter referred to as 'the said Church'"—I am now quoting the Bill—would cease to be established by law. There would be at the same time a saving clause in the Bill to prevent its having any effect on the Act of Union, other than that which is thus strictly limited and defined. On that day, the Ecclesiastical Courts in Ireland would be abolished; the Ecclesiastical jurisdiction in Ireland would cease; the Ecclesiastical Laws in Ireland would no longer bind by any authority as laws; the rights of peerage would lapse on the part of the Bishops; and all Ecclesiastical corporations in that country would be dissolved. The Committee is well aware, that the Church itself is not a corporation, but an aggregate of corporations. I am, I believe, strictly accurate in saying that with these provisions in operation on the 1st of January, 1871, the work of the Disestablishment of the Irish Church would be legally completed.

There is, at the same time, a point of very great importance, which I think this is the place for me to mention. Though we feel it to be a necessary—and it will, I think, be admitted by the House generally to be a necessary—part of

such a plan as this, that it should at once put an end to the force and authority of Ecclesiastical Laws, as such, in Ireland, yet we also feel that it is not our duty unnecessarily to subject that religious communion, now called the Irish Established Church, to strains and inconveniences, with respect to the management of its internal affairs, not required by the scope of our measure. In point of fact, it is not our desire that this transition—this great political transition—should be attended with the maximum, but rather with the minimum, of ecclesiastical change. Whatever ecclesiastical change is made ought, in our opinion, to be the result of the free deliberate will of the members of the Established Church, and not of any shock inconsiderately imparted by crude legislation to its machinery. We therefore propose that, although the Ecclesiastical Laws shall lose their force as laws, in which respect they have a certain relation to the whole community, yet they shall be understood to subsist as a form of voluntary contract, which shall continue to bind together the Bishops, Clergy, and Laity now constituting the Established Church, until and unless they shall be altered by the voluntary agency of the Governing Body, which the members of that communion may appoint. In such a way it appears to us that this great launch—and great launch it undoubtedly is, so far as all the ecclesiastical arrangements, properly so called, are concerned—will be effected smoothly; and I am, indeed, very conscious that this is to be desired on every ground, for, taken at the best, there will be quite enough to tax the energy, the prudence, and the courage of the members of the Church of Ireland in making provision for the great change which we are going to bring about in its internal affairs. The Committee, having followed me thus far, will have perceived that we have now a complete technical disendowment on the passing of the Act, and a complete and actual disestablishment on the day to be named in the Act, and now standing for the 1st of January, 1871.

Next comes a matter, on which I fear it will be my duty to detain the Committee for some time; the task of carrying into effect all those special arrangements by means of which the interests of the parties affected by this great change will have to be settled and adjusted in detail. I am afraid I should, perhaps, alarm the Committee were I to state how

Proposal that the present Ecclesiastical Laws, though not legally binding after January 1, 1871, shall, nevertheless, remain in force, till the Irish Church herself shall see occasion to change or modify them.



numerous those arrangements are. They embrace the vested interests of incumbents—and by the word “incumbent” I wish to be understood as meaning a Bishop or a dignitary of the Church, as well as a clergyman having parochial charge; the vested interests of curates; the case of lay and minor offices; the compensation for advowsons; the provisions to be adopted with respect to private endowments; the provisions with respect to churches, with respect to glebe-houses, graveyards; all of those, of course, being subject to the life interests recognised by the Bill. There are also the arrangements connected with the winding-up of the *Regium Donum*, the arrangements connected with the winding-up of Maynooth, the arrangements for disposing of the tithe commutation rent-charge, the arrangements with respect to the large class of property affected by the perpetuity-purchase clauses, and the arrangements connected with the sale of the Church lands by the Commissioners.

Vested interests of incumbents.

Let me say a word first with respect to that which is by much the largest in amount of all these subjects—namely, the case of the vested interests of incumbents. Now, the vested interest of the incumbent is quite distinct from his expectation of promotion. In all cases of the abolition of establishments, be they civil or ecclesiastical, I am afraid that expectation is a matter into which, however legitimate it may be, it is impossible for us to enter. The vested interest of the incumbent, then, is this:—it is a title to receive a certain net income from the property of the Church. I say from the property of the Church, because I set apart receipts from pew rents, receipts from fees, receipts from other casual sources, with which it is no business of ours to deal. The vested interest, with which we have to deal, is the right of the incumbent to be secured in the receipt of a certain annual income from the property of the Church, in consideration of the discharge of certain duties to which he is bound as the equivalent he gives for that income, and subject to the laws by which he is bound, and in due relation to the religious body to which he belongs.

Therefore I believe the Committee will see, in what sense it is true that, although the Church at large and the congregations at large have no vested interests, and it would be

impossible to recognise anything of the kind, yet both the Church and the congregations are very largely concerned in the vested interests of the incumbent; because his title is not a simple, unconditional title to a certain payment of money, but it is a title to a payment of money in consideration of duty. In the performance of that duty the congregations and the Church are deeply concerned, and I think it will be the opinion of the Committee that it would be unjust to them to expose them to unnecessary disparagement by worsening the conditions under which they now stand in reference to their clergy.

Such then, Sir, is the vested interest of the clergy; and I may here say that although, as a rule, it is for parents to set examples to children, yet, in the vicissitudes of human affairs, it sometimes happens that children may set a good example to their parents. It has happened so in this instance; for the Legislature of Canada, having to deal with a case undoubtedly far more simple, far less difficult and complicated than ours, yet notwithstanding, in this one central and vital subject—the manner of dealing with the vested interests of the clergy upon whose incomes it was legislating, and the permanent source of whose income it was entirely cutting off—has undoubtedly proceeded upon principles, which appear to balance, or rather to maintain very fairly the balance established between, the separate interests of the clergy, and the general interests of the Church to which they belong, and the congregations to which they minister. Substantially, and after allowing for necessary differences of expression, we think the basis afforded by the Canadian measure supplies us with no unsuitable pattern after which to shape our own proceedings. Such being the case, I will briefly describe to the Committee how we propose to deal with the vested interest of the incumbent. The plan will be this. The amount of income to which each incumbent is entitled will be ascertained. It will be made subject to deduction for the curates he may have employed. That I will further explain when I come to the curate. It will be made payable, in the case of each, so long as he discharges the duty. And then there will be a provision that the annuity itself may be commuted upon the basis of capitalizing

Canada an  
example in  
point.

Payment of  
incumbent's  
annuity con-  
ditional on  
discharge of  
his duties,

it as an annuity for life. Therefore the commutation, taking the rate of interest at  $3\frac{1}{2}$  per cent., will represent his whole interest in the income he receives, presuming it to last for life. This commutation can only be made upon the application of the incumbent. He must be the prime mover in bringing it about. Upon his application the sum of money will be paid to that which I shall call, for shortness, the Church Body; but it will be paid to the Church Body only subject to the legal trust of discharging the obligation or covenant which we had ourselves to discharge to the incumbent—namely, to give him the annuity in full so long as he discharges the duties. The effect of that plan of commutation will be that, by means of the Church Body, and of the inducements that will be given to arrangements between the Church Body and the incumbents, we, the State, should escape, as we hope and believe, at a very early period from that which it is undoubtedly not desirable to maintain longer than is absolutely necessary; namely, a direct relation of administrator and recipient between the organs of the State and the individual clergy of the Church. That is the nature of the interest which the State possesses in commutation; and although, undoubtedly, commutation would be an arrangement so far favourable to the Church collectively—and the very same thing will apply *totidem verbis* to the Presbyterians of Ireland—as enabling the Church Body and the individual to adjust their relations, and to make a more economical application of their resources than would be possible under the maintenance of the original annuities, yet the interest of the State in bringing these transactions to a close will be felt amply to justify, and indeed strongly to recommend, some arrangement of the kind.

Well, Sir, sketched in faint outline, that is the mode in which we should propose to proceed with respect to the great subject of life interests. These life interests are in truth by far the greatest—and, indeed, much greater than all the rest put together—of the demands to be made upon the fund of the Church before it becomes free and available for other purposes. I wish, however, to explain what I have not yet stated—that the recognition of life interests, which would be conditional as regards the performance of the duties that are

now the equivalent for the income, would be unconditional in other respects. We should not attempt to interfere, in the main, with the position of the clergyman either as proprietor or occupier of land. In many cases, indeed, as we know, the clergy of Ireland do farm their own glebes. In many cases they let land from year to year. In many cases the land is let upon short leases; and although it would be desirable, if we could, to bring the clergy to give up the position of landlord as soon as possible, we do not propose to effect this result by any forcible or compulsory enactment. Commutation, we think, will offer inducements which will be sufficient for the purpose; but, speaking generally, we do not propose by any compulsory provision in the Bill to interfere with the position of the clergyman in relation to any part of his freehold. There is, however, one exception which I must mention, because it is an exception which, perhaps, has both name and bulk, though as an exception insignificant in every other respect. It is the property of the incumbent in the Tithe Commutation Rent-charge. We propose that the Tithe Commutation Rent-charge shall at once and absolutely, and without any intervening life interest, vest in the Commission under the Act; and the reason is that the Tithe Commutation Rent-charge, with the single exception of a certain amount of fluctuation, which, of course, is rather in the nature of an inconvenience than a convenience to the clergyman, is in every other respect a fixed money interest; and inasmuch as it is very desirable immediately to put in action certain arrangements respecting the Rent-charge, we propose to take it at once into the hands of the Commissioners, the faith of Parliament, of course, being pledged to the payment of the whole proceeds which the clergyman, if he continued to be the proprietor, could derive from it.

Besides the Rent-charge, there is another very small exception which we have thought fit to make. I will speak by-and-bye of the cases of churches which are in use; but there are in Ireland cases of churches wholly ruinous, many of them in graveyards, but many apart from graveyards. In some cases the freehold may be in the incumbent of the parish. We propose at once to dispossess him of that freehold. It may be desirable that these sites should be disposed of, either by

but unconditional in other respects.

Tithe Commutation Rent-charge.

Barren freeholds.

throwing them into the burial-grounds, or in some other manner; but there can be no advantage in keeping up that barren freehold, which, while obstructive of public uses, is totally unproductive of practical results to the clergyman, and is purely incidental to his position as clergyman of a Church established by Law.

Peerages of  
Irish  
Bishops.

There is another change which would be made immediately upon the Disestablishment of the Church, and which it is my duty to bring specially to the notice of the Committee, although probably the view of the Committee will be not only in favour of the change, but is likely to be that, under the circumstances of the case, it is inevitable. The Committee is aware of the peculiar nature of the title of an Irish Bishop to sit in the House of Lords. He has a title to sit there for life, and yet it is but an intermittent title. He is not a permanent member of that Assembly; but he is placed in a certain statutory rotation, which brings him there for a Session, and then dismisses him; in the case of the Archbishop for one, and in the case of the Bishops for two or three Sessions. We have had to ask ourselves, whether it is desirable that a right of Peerage so singular in its character and operation should at all survive the Disestablishment of the Church? I own that, especially as to my own feelings, it is not without some regret and pain that I propose any provision which could seem in the slightest degree to convey a slight or disparagement in point of dignity to distinguished persons whom, as such, I believe to be amply worthy of the honours they enjoy in the House of Lords or elsewhere. But the anomaly is so great, and then, again, it is so obvious that the Irish Bishops are maintained in the House of Lords for the very purpose of representing a national and an Established Church, that—although not without regret, as far as individual persons are concerned—I think we cannot hesitate to propose to the Committee that these Peerages should lapse together with the Disestablishment of the Church. It is because this proposal forms a qualification to the broad principle I have laid down, as to respecting life interests in their integrity, that I have been so particular in calling attention to it.

Now, Sir, I come to the case of the curates; and I hope

the Committee will not be shocked at my endeavouring to state clearly the nature of the provisions we propose with regard to this most meritorious class of men, because, wearisome as it must necessarily be to you to pass through such a wilderness of details, yet there are many hundreds of persons for whom this question may be, or at least is believed by them to be, a matter of life or death, and who wait with the keenest anxiety to know the view that has been taken of their claims. In speaking of the case of curates, I do not speak simply of those clergymen who have entered into transitory and fluctuating engagements for a week, a month, or other short period; I speak of those who are regularly enlisted in the service of the Church as curates; and who, in point of fact, are bound to that office by a long life tenure, unless, as they hope may at some time happen, they should be presented to benefices. I speak of those who in a popular sense I may venture to call the permanent curates of the Irish Church. Now there is a great deal of difficulty to be encountered in dealing with this class of persons; but the Committee will observe that I am not now asking them largely to invade the public or the national fund for the purpose of compensation. In the main I am only studying to secure the due application to the benefit of the curate of those deductions, which we have already made from the income of the incumbent, when proceeding to calculate his annuity for the purpose of ascertaining his vested interest. We propose, then, to deal with the curates as follows. The Commissioners are to determine, who are the curates permanently employed. In some cases the form of the instrument under which they are employed will adequately determine this point; but in others it would not. We propose to leave the matter to the Commissioners, giving also to the incumbent the power of objecting and of showing that A B, his curate, was not permanently employed. It is required, also, in order to enable the curate to take advantage of the provision on this point, that he should have been employed on the 1st of January, 1869, and that he shall continue to be employed on the 1st of January, 1871; or that, if he has ceased so to be employed, the discontinuance of his employment shall be due to some cause other than his own free

Compensation of Curates.

*Y. H. S. 1871*  
*Low*  
*Y. H. S. 1871*

choice, or his misconduct. That will be the test of the eligibility of the curate. Being thus eligible, he would, *primâ facie*, be entitled to have the interest in his curacy calculated for life, he would have a vested interest in it in the same way as the incumbent has in the income of his living or bishopric, and he would be entitled to have it commuted upon the same terms. He would also be subjected to the corresponding obligation to that which would be imposed on the incumbent—that is to say, he would be bound to continue the duties he now performs until he effects an arrangement for commutation; he would be bound to render the same services to the incumbent that he formerly did, or if he cease to render them, in order to maintain his qualification that cessation must be due to some other cause than his own misconduct or his free choice. With regard to the curates of a more transitory class, we have a provision in the Bill which appears to us to be in fair analogy to a similar provision in the Civil Service Superannuation Acts, according to which gratuities may be awarded in consequence of disadvantages they may have sustained. But that is a matter of minor importance and minute detail, upon which I will not at present detain the Committee.

Private endowments.

I come now to the arrangements I shall have to suggest with regard to private endowments; and here it would be as well to refer to a misunderstanding, by no means immaterial, that sprang up in the course of last Session in consequence of an expression used by me. I said, in the course of discussion on the Irish Church, that not less than three-fifths, as far as I could reckon, of the whole money value of the property of the Church would be given back to the Church itself or to its members in any form of disestablishment that Parliament would probably agree to. It was not generally observed how important a part of that statement were the words “or to its members,” which I pronounced with some emphasis. What the Church will receive, under the plan of the Government, I will endeavour to separate from what its members will receive. No doubt its ministers will receive compensation, and the congregations of the Church have a very real interest, if not a vested interest, in those compensations. But with

regard to the Church itself, the proposal of the Government would be to convey to it nothing in the shape of what I may call marketable property—I will by-and-by explain what I mean by that phrase—with the exception of the private endowments which it may have received.

With respect to these private endowments, we do not propose that the enactments relating to them should embrace churches or glebe-houses, because these are dealt with on grounds of their own, which take them out of this category. But there are private endowments in the Irish Church; and although they do not appear to be very large in amount, they are various in form—such as endowments in glebe-lands, in tithes, and in money. And the definition of private endowments we think it fair to take is this. In the first place, it must be money, or money's worth, which has been contributed from private sources. It may have been given by a public character, as, for example, in the case of Primate Boulter and Primate Robinson; but though given by persons holding a public position, its having been given in a private capacity evidently constitutes it a private endowment. But we also limit it by date; and the date we have chosen to propose to Parliament for the limitation is the year 1660—the year of the Restoration. The reason that has recommended the date to us is the fact that the Restoration was really the period at which the Church of Ireland—the Reformed or Protestant Church of Ireland—assumed its present legislative shape and character. Before the wars of Charles I., in all the three Churches of the Three Kingdoms there existed more or less the different elements that finally developed themselves into different forms of Protestantism. These were in conflict together within the bosom of each National Church. In England we had Puritanism and what may be called Anglicanism struggling for ascendancy within the pale of the Church, as we are told in Scripture that Jacob and Esau struggled together within the womb of their mother. In Scotland there was the same struggle, with the exception that there Presbyterianism was undoubtedly in ascendancy. In Ireland, in the same way, Presbyterianism and Episcopacy were struggling powerfully together during the reigns of James I. and Charles I. It may not be known to all who

Definition of  
the phrase.

Why limited  
by the year  
1660.



hear me—though it ought to be known, and it tends strongly to justify us in not going back beyond the Restoration—that the very confession, the doctrinal confession, of the Irish Church in the reign of James I. and of Charles I. till 1634 was not the same as that in England. It was modelled by Archbishop Ussher upon the very highest Calvinistic frame, and it included nine articles, which composed a document well known in England under the name of the Lambeth Articles, drawn up in the latter end of the sixteenth century. I hope I shall not wound the feelings of any man when I say that those Articles were undoubtedly one of the most formidable collections of theology, which ever proceeded from the pen of any Divines in the whole history of Christendom. The Confession, then, was different in spirit from the Thirty-nine Articles of the Church of England. And the constitution of the Irish Church was likewise practically different. Presbyterianism, I know, was not formally or legally recognised by law in Ireland; but it had a real or practical recognition in Ulster, which was occupied by Scotch rather than English colonists; and these Scotch colonists were, I apprehend, for the most part Presbyterians. I find no proof that, when a Presbyterian minister went over from Scotland to Ireland, he was obliged to submit to re-ordination; on the other hand, in cases where a candidate was to be ordained for a parish of Presbyterian opinions or sympathies, we are told that the Bishop did not, as with us, ordain by his own authority, but appeared and took part as a simple Presbyter, sometimes obtaining this almost as a favour and by solicitation. Even if we could trace the private endowments back to so remote a period, the first effect would be to raise a smart controversy between the friends of Presbytery and of Episcopacy. But when we come to the time of Charles II., we reach a period at which the ecclesiastical condition both of England and Ireland became perfectly distinct. At such a period we may with propriety ask you to distinguish between private and public endowments, because we know historically that a man, at any rate, then knew what he was doing, and the fair presumption arises that if he gave his money to the Church, it was for the support of that special form of religion to which he belonged, and to which it is now applied

That will be the definition we propose to take with respect to private endowments. They are not very extensive in the Church of Ireland, but some among them are of extraordinary interest. Take the case of the parish of Laracor, the parish of which Dean Swift was Vicar, before he was transferred to the Deanery of St. Patrick's. When he went into it, Laracor had a dilapidated glebe-house and one acre of land. He left it with a good glebe-house and twenty acres. He improved and decorated it in many ways. It is sad and melancholy to learn—if only we look upon this place as one of the memorials of so great a man—that many of the embellishments, or what our Scotch friends would call “amenities,” of the place, which had grown up under his fostering hand, have since been effaced. He endowed the vicarage with certain tithes which he had purchased for the purpose; and I doubt whether it is generally very well known that a curious question arises on his bequest, because a portion of his property—consisting, I believe, of those very tithes—was left by him for what he calls—I never knew the term to be used elsewhere—“the Episcopal religion then established in Ireland.” But that extraordinary man, even at the time when he wrote that the Irish Catholics were so down-trodden and insignificant that no possible change could ever bring them into a position of importance, appears to have foreseen that a day must come, when the ecclesiastical arrangements of Ireland would be brought under a strict scrutiny and reckoning; because, not satisfied with thus leaving the property to maintain the Episcopal religion, he proceeds to provide for the day when that Episcopal religion might be disestablished, and be no longer the national religion of the country. Apparently by some secret intimation, he foresaw the shortness of its existence as an Establishment, for he left the property subject to a condition that in such case it should be administered for the benefit of the poor.

Dean  
Swift's en-  
dowment.

The whole value of the private endowments, as far as we have been able to ascertain, is not more than 500,000*l.* between land tithes and money. But in this case my figures are very uncertain. I may here observe, that I think the Committee will recognize the fairness of a step which we propose

Value of  
the private  
endow-  
ments.

to take. There may be a good deal of legal research and legal expenditure requisite in order to obtain evidence upon titles. We propose therefore to authorize the Commissioners to allow the parties their reasonable expenses, in cases where they think those expenses have been fairly undertaken in ascertaining the title and establishing the fact of private endowments.

How the  
churches  
(fabrics) are  
to be dealt  
with.

I now come to the churches; and I will explain the way in which we propose to deal with them. But when I speak of churches, I mean principally—indeed, I may say exclusively—churches which are in use by the present Established Church. Now, it is quite evident that churches cost a great deal of money to erect, but that when erected they do not properly fall within the category of “marketable property.” Buyers would not easily be found; and in Ireland, as far as I can understand, there is no great insufficiency of churches (in the Establishment there is a profusion) among the Presbyterians or the Roman Catholics. Many will regard this question as one of feeling: to them I need address no argument. To others, of what is called a practical turn of mind, I would urge the hard fact that churches, especially country churches, are in general inconvertible, and are therefore not to be regarded as marketable property. Therefore we have no doubt whatever that, subject always to the general though not legal obligation of applying them to religious purposes, we shall be right in proposing that the churches of Ireland should be handed over to the Governing Body of the Disestablished Church with as little difficulty, impediment, or embarrassment, as possible. What we propose, therefore, is that, without any trust, those churches may be taken on the simple declaration of that Body that it is their intention to take and maintain them for the purposes of worship; or else to take them down, where they may think expedient, for the purpose of substituting for them new churches, which the Governing Body may desire to build, and which may be more convenient, especially having reference to the altered temporal circumstances of their community. Under these circumstances, I have no doubt the chief part of these churches will be taken over by the Governing Body of the Disestablished

Church; but whether that be so or not, it is our duty to make provision even for the accidental case of churches which may be refused. If then a church be not taken over by the Governing Body, we are not led to think that it would be expedient for Parliament to contemplate its actual transfer, under operation of law, to any other religious community; nor are we led to believe that it would be generally desired by any other body. We, therefore, take a general power to enable the Commissioners to dispose of the site, or of the building itself, or, more probably, its materials.

Now there is a case on which I should say a few words, because I think it is one in which equity requires, or recommends, that we should make a small allowance from the ecclesiastical fund to the Disestablished Church. Unhappily, in Ireland there are not copiously scattered, as in England, churches which are beautiful and wonderful specimens of art, and which form one of the richest portions of our national treasures; but here and there in Ireland there are churches of that class. I need only mention one which has been before the public in a peculiar manner of late years—the Church of St. Patrick in Dublin. We cannot, Sir, but admit these two propositions. In the first place, that it is desirable that such churches should be maintained; that it would not be favourable to the credit or character of the country that they should fall into decay; and the second proposition is, that the maintenance of such fabrics may be more than we have a right to expect from the voluntary contributions of an ordinary and local congregation. If such a congregation, founded on a voluntary basis, should think fit to erect for itself such a church as St. Patrick's, or as Westminster Abbey, it will be for them to be responsible for its maintenance; but with respect to those fabrics which have been erected, and have been held under the expectation of permanent maintenance, we propose—subject to very careful limitations, for we confine the number to twelve at most—that the Commissioners should be authorized, where it is desirable that a church should be maintained as a national monument, and where it is found that the maintenance would be too heavy for a voluntary congregation, to allow a moderate sum in aid of its maintenance to

Provision  
for keeping  
certain  
churches in  
repair as  
national  
monuments.

those to whom it is made over. This is not a very large or important provision, but it seems to be one recommended by the distinct equity of the case.

I will now say one word with regard to those churches in Ireland which are not in use. Some of these are national monuments of a curious and interesting character; and, at the same time, as in the case of the churches at Glendalough, they may not be suited or adapted for restoration with a view to public worship. Therefore we propose that such churches should be handed over to the Board of Works, with an allocation of funds sufficient for their due and becoming preservation. In other cases where there are remains of churches and sites of churches they might sometimes be thrown into adjacent burial-grounds; or they might be taken and restored by one of the religious communities of the country. Their value in money is wholly insignificant; and we ask Parliament to give power to the Commissioners to make them over to those communities, if they shall see cause.

Glebe-  
houses.

The next question, I am sorry to say, is, like that of the curates, one beset with complications. It is one which was before the House last year; but with respect to it my own views are very much qualified, or, indeed, I may say, almost transformed, by the state of facts, with which since then we have become more accurately acquainted. It is the case of the glebe-houses; and I wish when I speak of them to include the see-houses, as I included the Bishops when I spoke of the incumbents, because, in all essential respects, they stand on an analogous footing. With respect to the glebe-houses, it is exceedingly difficult to analyze the sources from which the means of building them have proceeded. Parliamentary grants have had a share of it; and private endowments have had a share of it; but the greater part of those funds has hitherto been supplied by amounts deducted from the incomes of the clergy, under Acts of Parliament, enabling them to charge their successors as well as themselves. Therefore a nice and knotty question arises, as to whether money so obtained is to be regarded as a public or a private endowment; and I can imagine a whole night spent in the discussion of this question alone. The greatest difficulties have arisen upon this point, and I myself,

for one, have inclined sometimes one way and sometimes another with reference to it. But as, in the case of the churches, there are some men of a practical turn of mind, not perhaps easily touched on the side of their imagination, yet whose minds would be materially influenced by the observation that churches were not a marketable property; so the same feeling obtains as a general rule with respect to glebe-houses, the value of which, while immense to the body that may possess the churches, is very small indeed to any other persons. How correct I am in making this statement the Committee will be enabled to judge when I inform them, that we can trace an expenditure upon glebe-houses—not including sites—amounting to 1,200,000*l.*; and yet the whole of the present value of Their value. them in Ireland, including the ground upon which they are built, is estimated at only 18,600*l.* per annum. [*Murmurs from below the gangway on the Ministerial side.*] I hear a good deal of murmuring from some quarters of the House, and I am not surprised at it, because when these facts first came to my knowledge I murmured very much myself. [An hon. MEMBER inquired whether the sum mentioned included the value of the glebes?] Certainly not. Indeed, Sir, if I wanted to confuse the matter thoroughly, I could not do better than discuss the glebe-houses and the glebes together.

I have alluded to this point, because I desire to draw a distinction between the title of the Church to what may be looked upon as property, since it can be converted into a sensible amount of money, and its title to that which, however valuable to it as a body, has little of marketable value. However, I do not at all wish to be understood as saying that the glebe-houses of Ireland are worth nothing. On the contrary, I will prove to the House that to the State at least they are not worth nothing, and I will do so by showing that we shall not get hold of them without paying for them; since, unfortunately, they are saddled with heavy building charges. It is a singular fact that upon, or rather in respect of, these glebe-houses, which are valued at the present moment, together with their sites, at 18,600*l.* per annum—perhaps we may be justified in adding 20 per cent. to that amount in order

to bring the value up to the rack rental—there should be, in addition to the enormous sums already laid out upon them, a building charge outstanding of about 250,000*l.* This is the exact state of the case, and I cannot put it too pointedly to the Committee. 1,200,000*l.* has been already laid out upon this property, of which the annual value, according to the tenements' valuation, amounts to no more than 18,600*l.*, and a sum of 250,000*l.* is still payable on account of a building charge for the glebe-house—a sum which must be paid in order to enable us to come into legal possession of it. Now, that is not certainly a very inviting prospect. I confess I was greatly astonished, when I found that property, which last year I proposed to treat as convertible property of very considerable value, turned out to have this large charge outstanding on account of it, and also to be of such comparatively small marketable value. However, such as it is, we of course propose to take it.

If the statement I have made prove to be inaccurate and, should it turn out that the glebe-houses are of more value than I am now stating them to be, what I am about to say will be subject, of course, to re-consideration. Assuming, however, that my information is correct with reference to the value of this property, then it appears to us, that the best course we can adopt under the circumstances is as follows:—

This building charge, which will have to be paid by us in the first instance, is not uniformly distributed over the whole of the benefices. It is probable that in some cases it will amount to almost the full marketable value of the house, while in others no building charge at all will have to be paid. The necessity of paying the building charge where it exists is binding upon us, because in every case the incumbent would have been entitled to hand it on to his successor; and, consequently, when the incumbent dies or commutes under the provisions of this Bill, either he or his family will be entitled to hand it on to us as standing in the place of his successor. We are, therefore, bound by law and by justice to discharge this obligation; and we are not in a condition to exercise any discretion in the matter. We shall come into possession

of the glebe-houses only when the existing life interests are exhausted, because our interest, by the Bill, is only in the nature of a reversionary interest in the property; and then we shall have to pay the amount of the building charge still outstanding at the time. Having come into possession of the property upon those terms, we shall assume that the glebe-house, where the benefice is fully charged for it, is no property at all; but we shall still regard the land upon which it stands as valuable property; for even if the house is of no use to any one, there will always be somebody ready to give a rent for the garden. We propose, then, to say to the Church Body, "You have taken the church, and you may now negotiate with us for the land upon which the glebe-house is built, and also, if you think proper, for a small glebe not exceeding 10 acres in extent of adjacent land, which we will sell you at a fair valuation." But we shall add, "Where you take the land you may take the house; but you must reimburse us the whole of the building charge we have paid in respect of it, subject to the limitation that it shall not exceed ten years' valuation." For that is really as much as we think we can fairly expect to be paid for it. After a great deal of consideration, and after finding that the treasure we believed we should possess in the glebe-houses was merely visionary, we have come to the conclusion that this is the best plan we can adopt in dealing with this description of property.

It has been said that facilities ought to be given, although not in the way of grants of money, to the members of other communions, for the purpose of enabling them to erect glebe-houses, and to acquire limited glebes, for themselves. Now, that is a principle which has been already adopted by Parliament in the case of the Act of William IV. under which public money was advanced—subject to somewhat onerous conditions, it is true—to the Roman Catholics and the Presbyterians of Ireland for the purpose of building glebe-houses. Although we have not inserted any clause to carry out such a proposal in the present Bill, we think it may be desirable that loans for this purpose should be granted upon easy terms, contemporaneously with the arrangements for winding up the Ecclesiastical Establishment. At the same



time, it will be necessary to limit the operation of that system within a certain period of time, because we think it is open to considerable doubt whether it would be desirable to keep a law of that kind permanently upon the Statute-book, seeing that it might possibly lead to something like religious controversy in Ireland.

Disposal of  
the Burial-  
grounds.

The question relating to the burial-grounds may be disposed of very shortly. I propose that the burial-ground belonging to a church in use shall pass along with it to the Church Body holding the fabric; provision, however, being made in all cases for the preservation of existing interests in the burial-ground. It is known to the Committee that the law in Ireland, as recently adjusted, with respect to burying-grounds, is very different from, and is much more favourable to the public than, that in force in England. Now, one effect of the measure, which we propose, might be to place the public in a worse position than that in which they now are; because the facilities for using burial-grounds which now exist, with a staff of 2000 clergymen distributed over the country, might be very much reduced if a Roman Catholic or Presbyterian often had to send his notice to a clergyman who might live half a dozen miles off. We shall, therefore, reserve to Parliament the right of further legislation, should that prove necessary. With respect to all other burial-grounds—and they are very numerous in Ireland—not attached to churches in use, we propose to give uniformity and simplicity to the law by handing them over to the Guardians of the Poor to be applied for the general benefit.

I think, Sir, I have now concluded the winding-up arrangements of the Bill as far as the Established Church is directly concerned. There still remains, however, a portion of them which, although not very extensive in amount, yet is of very great importance, and one which, I am bound to add, is by no means free in all its bearings from difficulty.

Cessation of  
the *Regium*  
*Donum* and  
the May-  
nooth  
Grant.

It was at all times part of the view of those who proposed the Resolutions of last year, that with the Disestablishment of the Church must come the final cessation of all relations between the State and the Presbyterian clergy in Ireland, and likewise between the State and the College of Maynooth.

I have now to consider in what manner effect is to be given to that conviction, which was strongly entertained by the House, and which was, in fact, embodied in a fourth Resolution passed by the House during the Session of 1868, and added to the other three Resolutions which had been previously agreed to. The sum which we have now to deal with is an annual sum of over 70,000*l*. Of that amount 26,000*l*. a year constitutes the Vote for Maynooth, and between 45,000*l*. and 50,000*l*. is the aggregate of the Votes given for the various communities of Presbyterians. And now, Sir, we are no longer dealing with a simple and single body of religionists, known to the law as the Established Church, but we are dealing with classes which, in point of religious opinion, fall under a threefold division. The chief interest now before us is that of the Old or Scotch Presbyterians, as I may call them for distinction's sake; the next is that of the minor bodies of Presbyterians, who are separated in Ireland from the main body, not only by religious communion, but by grave differences in matters which are thought to lie at or near the foundation of the Christian Faith. There are three or four of these bodies, such as the Remonstrant Synod of Ulster, the Presbytery of Antrim, and one or two more, who fall into this second class of religionists; these, or some of them, entertaining what are called Arian, or Unitarian, opinions. Lastly there are the Roman Catholics, sufficiently known to us to dispense with the necessity for any description as regards their religious opinions. If, Sir, I refer to these distinctions of religious belief, it is only for the purpose of stating, in the broadest manner, that, on the part of Her Majesty's Government, I entirely decline, on the present occasion, to enter into such matters. I will not for one moment ask what are the theological or the religious peculiarities of those bodies, professing the Christian name, with whom we are to deal; but I will endeavour to deal with them strictly, impartially, and equitably—on the principles of civil justice, which apply to them all alike, and which would render it iniquitous and wrong here to raise controversial questions in regard to them on matters of religious belief. The ground they stand on is that of citizenship—

The Presby-  
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terest.

the claim they urge is that of general equity and good faith. We, the Government, have recognized that claim. I am confident that Parliament will recognize that claim, in the case of the Established Church. Let us endeavour to proceed upon the same fair, and just, and liberal though moderate and prudent, recognition of it, in the case of these bodies exterior to the Established Church.

Now, as respects the larger part of this sum of 70,000*l.* a year, there is no difficulty, when we come to look at it in the light of a purely civil interest. Most of it is given in the shape of a direct Vote of so much money passing immediately from the State to the individual through the Synod; but in all cases, the nature of the vested interest or expectancy—call it what you like—is the same. All we have to do in the case of the Presbyterian clergy is to take substantially the same course, as with respect to the clergy of the Established Church. Take the question of income—which here being a mere matter of money can be at once ascertained. It is not given to the minister for nothing, but on the condition of the performance of duty. Hence, with a slight modification in his favour, which I need not here mention, a similar claim will arise in the case of the Presbyterian minister to that which I have already explained in the case of the Episcopal Incumbent; and the Bill also will give to him a power of commutation in every substantial respect corresponding with that proposed to be made for the clergy of the Established Church.

Presbyterian Assistants and Successors,

So far with respect to the clergy, and to life interests proper. But, beside the ministers who perform spiritual offices in particular congregations, there is another class that appears to us to have a claim; they are what are called Assistants and successors. Now these gentlemen are in a condition, not indeed as to the abundance of the interest at which they are ultimately to arrive, but otherwise, I take it, legally in a condition, not very far removed from that of an heir of entail; they are already appointed to the assistant pastorship of a particular congregation; they derive no benefit from the *Regium Donum*, but the office of assistant which they hold entitles them to succeed after the death or resigna-

tion of the incumbent; and consequently it is urged that they have a just claim to the expectancy created by that right of succession. This is not a very large matter, and will present no practical difficulty. The amount at issue consists only of the difference in value between the life of the incumbent and the younger life of his successor; but to that extent we think it just that the claim should be provided for.

Then, Sir, we come to another class—the teachers of Presbyterian educational institutions, principally under the General Assembly of the Presbytery of Ulster. With regard to them, though they are not ministers, but professors only, we propose to deal with them precisely in the same manner as if they were pastors of churches, and to assure to them their salaries, together with a like power of commutation. But now comes a greater difficulty, with respect to those educational establishments to which I wish to call the attention of the Committee for a few moments. When we disestablish a Church, and when a particular congregation ceases to have a pastor found for it by public funds, it feels an immediate want, and a stimulus is applied to it to satisfy that want. But when you deal with an establishment for educational purposes, a rather different order of considerations comes into play. There are several points which ought to be taken into account, although I will not say precisely what amount of weight is to be given to each one of them. When dealing with Presbyterian education, we have also to deal with the College of Maynooth; and the latter is a subject of difficulty of its own, and in this way :—we have no such relations with the Professors and Principal of Maynooth, as we have with the Presbyterian ministers and professors. We know nothing of the details of the arrangements made by the Trustees of Maynooth with reference to the expenditure of the public grant. We have chosen to constitute a Trust by the authority of an Act of Parliament, and to that Trust we have committed the disposal of the grant which Parliament has thought fit to make. Well, now, what is the experience of England? The experience, in particular, of our training colleges, and the difficulty of developing private resources

Teachers of  
Presby-  
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tions.

The disestablishment of the Irish Church will necessitate legislation in regard to Trinity College, Dublin.

for their support, prove that there should be some consideration in dealing with establishments for education. I ought not, perhaps, to bring into the present discussion the case of Trinity College, Dublin, for Her Majesty's Government make no proposal upon that subject at the present time. But it is perfectly plain that if the House and the Legislature should adopt the measure that we now submit to it, Trinity College, Dublin, will at no distant date have to be made the subject of legislation. It is also, I think, quite plain that it will be impossible to maintain the present exclusive application of the revenues of Trinity College to the purposes of a governing body and staff wholly connected with one religious persuasion. It is quite possible that Parliament may apply to Trinity College the same lenient method of dealing which it commonly adopts, and may think fit to leave some moderate provision applicable to the rearing, or to the teaching, at least, of churchmen and of the clergy, who will, as a clergy, become dependent entirely upon the resources of a voluntary communion. But undoubtedly when we come to deal with Trinity College we shall feel the force of this argument, that to put a sharp termination to the career of an educational establishment is a more trenchant operation than to do the same with the machinery for providing a parochial ministry, because there is a much stronger stimulus to persons to provide themselves with clergymen in the one case, than in the other there is to induce them to maintain schools in which these clergymen can be trained. These general considerations, at the same time, are considerations which I know must not be pushed beyond their proper limits. I hope the House will think, when I come to the end of this long and wearisome statement, that whatever the Government have done they have endeavoured to keep strict good faith. I believe that I have announced no proposal as yet to which that character will not be held to apply when it is compared with our former declarations; and I trust that my announcements will remain the same to the end of the chapter.

I have now to consider in the light and spirit of our general arrangements, and, subject always to the full maintenance, in letter and in spirit, of that which we have heretofore declared, what appears to us the more equitable method

of dealing with some remaining fractions of the *Regium Donum*, with the Grant to Maynooth, and any similar grants. The Presbyterians are interested in this matter, not only in respect of the College which they have in Belfast, but likewise in respect of a similar institution which exists for the benefit of minor Presbyterian bodies; the Roman Catholics are interested in it, through the College of Maynooth; but there are also several other payments made by Parliament which, on the whole, fall under very much the same class of considerations. There is the payment made by Parliament to what is called the Presbyterian Widows' Fund. Now that Fund, of course, exists for the purpose of supplying wants that are coming into operation from year to year, and it would be very hard to withdraw that Widows' Fund without notice. In the same way it would be hard to withdraw, without notice, the grants now made to Presbyterian educational establishments and to the College of Maynooth. There is another class of payments made by the Presbyterians to their Synodical officers. They hold an office regarding which it is very difficult to define the degree, in which it should be considered as a vested interest. But when we look at the whole of these matters, and read them in the light of the declaration and proceedings of last year, we have adopted—first, the principle that no permanent endowment can be given to them out of the public resources properly so called; and, secondly, the principle that no permanent endowment can be given to them out of the National Ecclesiastical Fund of Ireland. What we propose—and we think it a fair and equitable proposal—is that, in order to give time for the free consideration of the arrangements and the construction of scales for the satisfaction of life interests, and for avoiding violent shocks and disappointments to those whose prospective plans for life may already have been made for them by parents upon the supposition of the continuance of arrangements which have so long existed, and which were, in the case of Maynooth, very solemnly made, there should be a valuation of the interest of all these grants as a life interest upon a moderate scale, or say at fourteen years' purchase of the capital amount now annually

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dows' Fund.

voted. [Sir STAFFORD NORTHCOTE: The annual amount?] Yes, the annual amount. It is in the case of ministers of religion strictly a life interest, and it is to be commuted as a life interest is commuted, upon the age of the individual. That age varies. In the case of Presbyterian ministers, as there is a very large number of years, that amount is high. In the case of Bishops and dignitaries it is somewhat lower. We take fourteen years as, on the whole, a fair amount representing these different rates. We propose to treat, then, these miscellaneous grants as substantially life interests; and the payment is to be analogous to that made on other life interests, and this plan is intended to wind up and close all the relations between those bodies and persons and the State.

Now, Sir, I am coming in sight of port; but I have not yet closed my task. There are two or three points which will not take long to deal with, apart from the question of religion and from all matters of controversy, but which are of so much interest to gentlemen connected with Ireland, and especially the land of Ireland, and some of which likewise have so innocent and beneficial a bearing on the land question of Ireland, that I must beg for a little more of the indulgence of the Committee. First of all, I would proceed to explain what I fear some of my hearers will think ought to be placed in the category of financial puzzles. If they do not entirely follow me I will ask them, without understanding me, to believe what I say, and, waiving for the present all copious detail, I will undertake to make it good upon a future occasion. It relates to the important subject of the tithe rent-charge of Ireland. I have already said that we attach great importance to the merging of the tithe rent-charge; and for that reason the Commission will step into the possession of it immediately after the passing of the Act. Well, if there be here any hon. Gentlemen possessed of land in Ireland—and there are many—they will not be very grateful to me for what I am going first to state. It is that we shall give to them unconditionally the tithe rent-charge at twenty-two and a half years' purchase. That is, of course, twenty-two and a half years' purchase, not of the old gross 100*l.*, but of the 75*l.* a year as determined by the Tithe Act. We make

Tithe Rent-charge.

that offer, because we think there may be landlords in Ireland, who will be disposed at once to wind-up the arrangement with us on these terms. But if Gentlemen will listen to me, they will see that we have another alternative for those who may not be disposed to purchase the tithe rent-charge out-and-out in money down at twenty-two and a half years' purchase. It is this. We make to them a compulsory sale. I have not the least idea that any one will object to it. We shall convey the tithe rent-charge to them under the following conditions. We shall charge them in our books with 2250*l.* for every net 100*l.* a year of tithe rent-charge. That is to say, we sell them a tithe rent-charge at a rate to yield them 4½ per cent. We then credit them on the other side with a loan of equal amount. We provide that they shall pay off that loan by annual instalments, with interest. But the rate of interest to be charged on the instalment is 3½ per cent. The consequence of that is that a fund of 1 per cent. will remain as a sinking fund to absorb the principal. The landlord, becoming a purchaser of the tithe rent-charge in that form—except that he will get rid of the fluctuation, for we must give him a fixed amount—will not be called upon to make any addition whatever to his annual payment. He will be liable to that annual payment for a term of forty-five years, and at the close of that term he will, under this arrangement, have the rent-charge, for the residue of all time, whatever it may be, for nothing. That will be the financial effect of the arrangement, which I think will not be a bad one for the Irish landlord. I perceive by the buzz around me that this portion of the subject, at any rate, is not without some interest to a great many honourable Members.

I may here say, that in dealing with this question I have been compelled to lament the necessity under which Parliament has found itself on a former occasion of wasting the property of the Irish Church, in order to prevent its being so great in its magnitude as over much to shock the public mind. We have not proceeded on that principle of wasting the national estate. We have not sought to work down the residue that will remain to be disposed of; but we



have endeavoured to make the most economical arrangements for the interests of that fund, which the equity of the case admits. And the Committee will the more readily give me credit for what I have to say on this subject when I add that, while in this manner we shall obtain twenty-two and a half years' purchase for the tithe rent-charge of Ireland, the average rate at which that charge sells in the market is very little, if at all, more than sixteen or seventeen years' purchase. On the other hand, it is not a bad arrangement for the public, because it may be safely taken as a general rule that the public, in arrangements reaching over a long period of time, are perfectly safe in undertaking to lend, from their deposited monies, at 3½ per cent.

Perpetuity  
Purchase  
Clauses of  
the Church  
Temporalities  
Act.

There is another point, which need not detain us more than a moment. It relates to what will be in the recollection of Irish Gentlemen—but there are very few still here who were in the House at the period of the Irish Church Temporalities Act—as the Perpetuity Purchase Clauses. They were clauses embodying an arrangement somewhat doubtful for the interest of the national ecclesiastical property of Ireland. We feel that under this Bill equity requires that the persons who are now possessed of a title to purchase under these clauses should not be suddenly deprived of that title. But we also feel it to be impossible, in conjunction with a measure for disestablishment and disendowment such as this, to keep those clauses permanently in existence, in consequence of the highly anomalous and highly inconvenient confusion of interests which they create. We therefore propose that the power to purchase, now in the hands of the tenant, shall remain in existence for three years from the 1st of January, 1871, and if not made use of in that interval it shall then finally lapse and terminate.

In connection with this part of the subject, there arises another question of great and universal interest. The Commissioners, to be appointed under this Bill, or some body which may succeed them, after the difficult and onerous part of the arrangements shall have been disposed of, will, as I think, be the holders of a considerable amount of property.

The first question is, in what form of investment shall that property be held. The perpetuity purchase rents now in existence appear to form, as far as they go, a very eligible description of investment; because they have the certainty of landed income without the incidents of fluctuation, or any of those difficult administrative questions which attach to the character of the landlord. The Committee will, however, agree with me that it is not desirable either that this Commission which we now propose to appoint, or any State authority in its place, should continue permanently to hold the Church lands, which will necessarily come into its possession. Such a Commission is not, and cannot be permanently a good landlord; and it is far better that it should discharge itself, as soon as may be, of duties it cannot properly fulfil. What we propose, then, is that in selling the proprietary rights of these estates the power of pre-emption should be provided for the tenants. And, what is more—indeed, without this addition I do not think I could claim for this provision credit for anything more than good intentions—we further propose that in such sales three-fourths of the purchase-money may be left upon the security of the land, and that the charge so remaining shall be liquidated by instalments, upon the principle adopted in the Drainage Act, by which we make the whole re-payable in twenty-two years. Now, the nature of this proposal the Committee thoroughly comprehend, and I trust it will meet with their approval. It does not bring us as sellers of land into the market in an anomalous character; it does not make the State responsible for duties that it cannot fulfil, and the permanent retention of which is alien from its nature. Not only will it have the good economical effect of materially improving the price that we shall get for the land; but by this means, which is yet more important, we shall try the experiment, on a limited scale, of breaking up properties in Ireland, in a manner which I believe to be perfectly safe, perfectly easy, and perfectly unexceptionable.

In selling proprietary rights of Ecclesiastical Estates, power of pre-emption should be provided for the tenants.

I will now, Sir, give to the Committee the financial result of these operations in a very few words. With respect to the income of the Irish Church I shall say very little, for I have

great difficulty in making out what it really is. The Church Commission laboured assiduously between 1867 and the end of 1868, and they have reported, as the result of their inquiries, that the income of the Irish Church is 616,000*l.* a year. I must say, with very great respect for their sixteen months of toil, that I humbly dissent from the conclusion at which the Commission has arrived. It seems to me that they have placed the revenue too low. I find that one of the Commissioners (Colonel Adair), who is known to have taken an active part in their labours, has within the last fortnight published a statement in which he puts the income of the Irish Church as high as 839,000*l.* a year. I do not place it quite so high as Colonel Adair, nor quite so low as the Irish Church Commission. I conjecture it to be about 700,000*l.* a year, which I think is no unfair statement. So much for the income of the Irish Church. But what we have more to do with is the capital. I have taken the tithe rent-charge at the rate of purchase I propose, and I find that, speaking in round numbers, which I have adopted for convenience throughout, the tithe rent-charge will yield 9,000,000*l.* I have taken the land of all kinds, episcopal and chapter lands, with those belonging to glebes, and putting on them the fairest valuation that very competent persons by whom we are assisted in Dublin can make, I find that the whole undivided value of the lands and of the perpetuity rents, if sold, would be 6,250,000*l.* Besides that, there is money of one kind or another in stocks and banks to the amount of 750,000*l.* I have not attempted to value the fabrics of churches, nor the fabrics of the glebe-houses, because after I have explained how they stand in the tenement valuation, and the charge upon them, I consider it would be idle to include them in this statement as an item of any considerable amount. The result, without taking into account the glebe houses and churches, is that the whole value of the Church property in Ireland, reduced and cut down as it has been—first by the almost unbounded waste of life tenants, and, second, by the wisdom or unwisdom of well-intending Parliaments—the remaining value is not less than 16,000,000*l.*—an amount more considerable than I had ven-

tured to anticipate, when, with smaller means of information, I endeavoured to form an estimate of it last year.

I now come to a delicate part of the case, and one in which the figures must be considered as taken with a rather broad margin. Yet, on the whole, I think they will be found very near the mark, so far as the total is concerned. The life interests of incumbents of all kinds in the Church—bishops, dignitaries, and parochial clergy—will amount I think to about 4,900,000*l.*; and if that appears to any one a large sum, he should recollect that when divided by the large number of persons—2000, if we include the curates—among whom the whole has to be apportioned, it represents a very slender acknowledgment for the labours, expectations, and costly education of those gentlemen, and for the responsibilities, and the honest and good service, with which their respective situations have been held. The compensation of the curates, deducted principally though not entirely from that of the incumbents, will come to 800,000*l.* The lay compensations are not inconsiderable. They will come to 900,000*l.* Of that, something over 300,000*l.*, it is supposed, will be the value of the advowsons; but it is very difficult in Ireland to obtain fixed, clear, and definite rules for estimating their value. The transfer of them in Ireland is comparatively rare, and they are subject to a variety of contingencies which very much impair the means of judgment. It is not a large matter. We put it at about 300,000*l.* The other lay compensations embrace a class of persons who do not much enter into the public view, as we look at this subject generally; but the largest part will be absorbed by the parish clerks and sextons in Ireland, of whom the bulk I believe, like the incumbents, have freehold offices, and must be dealt with on the very same principle as the incumbents. Then there are the officers of Cathedrals, and of the Ecclesiastical Courts; and the functionaries connected with the present Ecclesiastical Commission. These will bring up the amount of the lay compensations to about 900,000*l.* The charge of private endowments on the fund may be about 500,000*l.*, and in that, I may say, in passing, will not be included the result

*Imp.  
Budget*

Lay com-  
pensations.

Amount of  
compensa-  
tion for  
*Regium  
Donum* and  
Maynooth.

of a recent Act of Parliament passed by Sir Joseph Napier as to endowments of a particular class, which it is not necessary to bring into this Bill. The building charges, which we shall have to pay, in order to get possession of the buildings, are 250,000*l*. The sum necessary to clear off our engagements, upon the moderate footing we propose, with respect to the Presbyterians and Maynooth will be about 1,100,000*l*.; and of that sum I ought to say two-thirds will go to the Presbyterians, and scarcely more than one-third to Maynooth. I must also here mention two small claims I had omitted. The Presbyterians claim—and I think it is not an unreasonable claim—that, as we admit an educational establishment to require a little more time for transferring it from the old system to a new one, we should give them some consideration in the shape of money in respect of the buildings they have raised in Belfast to meet the Parliamentary Grant. This claim we shall be prepared to concede, subject to the maximum of 15,000*l*. The other is not a claim made by the Roman Catholics, but it is our opinion the concession should be made spontaneously, and that, I think, will be the universal opinion of the House. When the Act of 1845 was passed, it was known to be the intention, that the buildings of Maynooth should be kept in repair at the public charge. The House of Commons modified its views shortly afterwards. The College had no means of meeting the necessary expense except by borrowing; and it has gone into debt to the Board of Works to the extent of 20,000*l*. or more. I think we should all feel that such a debt incurred in past time on account of these repairs, and in consequence of a change of view on the part of Parliament, ought at once to be remitted. Lastly, Sir, I estimate the expense of this Commission during the ten years of its continuance at 200,000*l*.; and that makes my total charge against the property of the Church amount to 8,500,000*l*. So that the property will be divided—for I confess I have some faith in the moderation of my estimate on the credit side—into two nearly equal parts; or, to be quite safe, I may call it 16,000,000*l*., and as the charges upon it will come to

between 8,000,000*l.* and 9,000,000*l.*, the sum at the disposal of Parliament for other purposes will not be less than between 7,000,000*l.* and 8,000,000*l.*

I have now, Sir, done with my first and my second date. We have arrived, then, at a period, let us suppose, when the arrangements I have detailed are all completed; that is to say, so far completed that ample provision shall have been made for their completion in detail. But there is one financial item which, through infirmity of memory, I have omitted. The Committee will naturally ask, how we are to pay the heavy charge that may be entailed by the commutations? because if the commutations are made, and we have every desire they should be made immediately or as soon as possible after disestablishment, they will require, between Episcopalians and Presbyterians, from 6,000,000*l.* to 7,000,000*l.* My answer is that, fortunately, the banking resources of my right hon. friend the Chancellor of the Exchequer are such, with respect to the deposits entrusted to the State by the public, as to cause no serious difficulty on that part of the case; while, as a matter of prudence, we have taken power in the Bill to fix the payment of commutation monies in eight instalments, extending over four years.

And now, supposing that all the arrangements which I have so imperfectly detailed, and which the Committee have listened to with so much patience, are at length completed—that is, so far completed that provision is made for all they can possibly require—I have arrived at the last of my three dates, to which I pointed at the commencement, and I ask a question which will re-awaken the flagging interest of the Committee. How are we to dispose of the residue? I will first state the conditions, which appear to me necessary to be combined in a good plan for the disposal of such a fund. The first two are already fixed—written, I may say, in letters of iron. It is so written that the money is to be applied to Irish purposes; and it is so written that it is to be applied to purposes not ecclesiastical—not for any church, not for any clergy, not for any teaching of religion; and I hope the Committee will see that in thus broadly stating

Disposal of  
the residue.

what I conceive to be the obligations we have come under, I am showing a disposition not to shrink from the fulfilment of those obligations. But there are other requisites that it is most important to combine in any plan for the application of this residue. In the first place, I think there are feelings much to be respected in a large portion of the community; the feelings of those who admit that the time has come when the application of this money must be dissociated from the teaching of religion, but who, at the same time, would desire that its future application should, if possible, be such as to bear upon it some of those legible marks of a Christian character which would be, as it were, a witness to its first origin and to its long-continued use; that it should be applied as nearly as circumstances admit in conformity with what is usually the *cy près* doctrine of Courts of Equity. Another condition of a good plan is, that it must not drag us from one controversy into another. We must not make this great controversy, as yet itself not perfectly solved [Opposition cheers]—yes, but very near its perfect solution—the mere doorway to another set of conflicts and disputes, perhaps equally embarrassing. One other condition of a good plan is that, the question being Irish and wholly Irish, the plan must be equal in its application to all parties, and, as far as may be, to the whole community in Ireland. Yet one more condition I will mention, to which I for one attach the highest value: the plan must embody a final application of the money. The money must be so disposed of, so attached and annexed to the satisfaction of the permanent wants always inherent in the community, that the day never can come when some Member, rising either upon these or upon those benches can say, "Here you have a fine fund undisposed of in Ireland," and many suggest some scheme of applying it which shall lead us back into all the embarrassments from which we are now at length vigorously struggling to be set free.

I will mention briefly some of the modes suggested for the application of the money. The division of the fund among Churches only was out of the question, because such a measure would be in conflict with the sentiments of the people, with

the opinion of this House, and with the pledges which we have given, and which must be redeemed. The application of it to education would not fall so directly under the ban as the direct application of it to religion; but to propose to apply these funds to education would, in the first place, raise a just suspicion on the part of our Irish friends that we were endeavouring to get quit of the annual Grants in the Estimates; and, in the second place, it would launch us into a multitude of religious difficulties, and would again complicate the controversy of the National Church with the controversy of the unsolved problems of Irish education. It has been proposed by some that the fund should be applied to public works in Ireland. Those who have followed the history of the great attempt we made at public works in Ireland in reference to the Shannon drainage, will admit that the prospect opened by such a proposal is not very inviting. In the first place, it is a project which would lead to jobbery; and in the next place it would set every part of Ireland at variance with every other part in the scramble to obtain the largest possible portion of the money. In the third place, do what you could to promote equality, the application of the money must be unequal; it must be given to certain districts, and many other districts must in a great degree fail to share in it. And lastly, if this money were to be given in the way of a loan for public works, each public work having ended, and the money coming back, it becomes again available. There is no successor immediately entitled to claim it. We should be open to the charge of great imprudence and impolicy were we to propose to make this fund the source of any system of permanent lending, which would have the effect of opening the way always to new proposals, perhaps of the most objectionable character; nay, perhaps, tending directly to revive our present and past controversies about religion in Ireland. It has further been proposed to apply it in some manner to the railways. But, again, it would be impossible for us to mix the question of Irish railways with the question of the National Establishment in Ireland. I know very well the interest that exists on the subject of railways, and of public aid to railways in Ireland; but I also know that



this is a question of considerable novelty and complication ; and that our duty now, in laying before you a measure for which we claim the credit of finality, is to make some proposal that is obvious and clear in its character, and that does not entail upon you the prior commencement and conclusion of any such difficult inquiries, before you can determine whether it can be adopted or not. It will be the duty of Her Majesty's Government to give the most careful consideration in their power to all the proposals made with respect to Irish railways ; but it would not be their duty to involve themselves and you in new difficulties, by confounding that subject with the subject before us. It has next been proposed that the money should be applied to the poor rate. Such an application, it appears to me, would be a great mistake. I am not in the least degree shocked at the idea that the land of Ireland, and the landlords of Ireland, may derive very considerable benefit from any mode in which these funds can be judiciously applied for the welfare of Ireland. I am convinced that in the course of years much of it must come to them ; but I do not think that upon that account, when we have a system of legal obligation regularly constituted, that system of legal obligation being in satisfaction of a primary want, recognized in almost every country as incumbent upon the property of the country, a sum of this kind ought to be applied directly in relief of property ; and I think if we did so apply it, we should be guilty of a great breach of faith towards the people of Ireland. The people of Ireland are generally Roman Catholic. As Roman Catholics they have scarcely the smallest interest in the proposals I make on this subject. In fact, I am almost ashamed to think, in this great business of winding up, when such large sums of money are being disposed of, how exceedingly small a portion can fall to their share. But I say, at least, that this fact is really a reason why we should recollect that at least the people of Ireland are entitled, if not in respect of their religion, in respect of their being the mass of the people of Ireland, to be made as far as possible, the principal recipients of the beneficial application of this fund.

I will now venture to read to the Committee the Preamble

of the Bill, which I hope will be in the hands of Members to-morrow morning; and it is the latter part of the passage which defines the manner in which the application of this money is proposed—

“Whereas it is expedient that the union created by Act of Parliament between the Churches of England and Ireland, as by law established, should be dissolved, and that the Church of Ireland, as so separated, should cease to be established by law, and that after satisfying, so far as possible, upon principles of equality as between the several religious denominations in Ireland, all just and equitable claims, the property of the said Church of Ireland, or the proceeds thereof, should be held and applied to the advantage of the Irish people, but not to the maintenance of any Church or clergy or other ministry, nor for the teaching of religion; and it is further expedient that the said property, or the proceeds thereof, should be appropriated mainly to the relief of unavoidable calamity and suffering, yet so as not to cancel or impair the obligations now attached to property under the Act for the relief of the poor.”

It is the latter part of the passage which defines the application of the money. There is, Sir, in every country, as we are all aware, a region of want and suffering lying between the independent part of the community, on the one hand, and the purely pauperized population on the other. For this region of want and suffering, it is very hard to make adequate provision by a Poor Law, which is almost required to be niggard in its operations, because, if it were made liberal and large, the risk would then be run of doing the greatest possible injury to the independent labourer struggling to maintain himself without aid from any public fund. The wants that I speak of in Ireland are at this moment partly unsupplied; and they are partly supplied, in the rough, through a medium which we think defective, and which might be greatly improved. The medium I speak of is the county cess, a heavy and increasing tax—a tax not divided like the Poor Law between the owner and the occupier, but paid wholly by the occupier, and a tax not limited like the Poor Law to occupations above 4*l.* in value, but going down to the most miserable hut or cabin. The holders of these most wretched tenements are now required in Ireland, and required increasingly from year to year, not to pay that moiety

which is paid by the wealthier portion of the occupants, who contribute to the Poor Law, but to pay exclusively for that class of want and suffering, which ought undoubtedly to be met, and which in every great community ought to be liberally met, but which can only be met by the expenditure of large and considerable funds in comparison with those which avail for the support of members of the pauperized population.

Now, what are these? I take first the lunatic asylums. The care of lunatics is one of the great duties of the community, and in Ireland, though the provision for them has as yet by no means overspread the whole country, the cost on this head is already from 120,000*l.* to 140,000*l.* a year, and it will ultimately rise to 200,000*l.* This expenditure is defrayed by the county cess, collected from the class of occupiers I have described.

+ The case of the deaf and dumb and of the blind is the next melancholy topic I will refer to. They exhibit to us some of the sorest places of the social system. While they suffer from the most grievous and painful afflictions with which humanity is vexed, they are also of a nature for which no Poor Law can adequately provide. The care of these is a very expensive matter. You will keep a pauper in a workhouse, and keep him decently, in Ireland, for some 7*l.* or 8*l.* a year; but you will not keep a person belonging to these classes—you will not give to the deaf and dumb and the blind the most precious boon you can give them—that is, training and instruction—under, perhaps, 30*l.* or 40*l.* per head per year. It is no common act to train these people, and to convey to them, without the command of the beneficial channels that the Almighty has given us, the blessings of knowledge, and the faculty of applying their bodily powers to their own support. This description of want and suffering is, it appears to us, marked out by every feature that can recommend it for the application of any funds like these. There are those who say these funds should not be secularized. I respect the feelings of those who are against the secularization of such funds; but I say, that if we go back to the ancient history of ecclesiastical property in Europe the

suggested application is not rightly to be condemned and denounced as secularization.

The property of the Church was of old, in general, divisible into four parts. One of these was consecrated to the use of the poor; and, of all the poor, the afflicted classes I have named make the strongest appeal to human compassion. At the same time, when I know the condition of the Irish peasant, when I see that the charge, through the medium of the county cess, is laid mainly upon him, in the first instance, nay wholly upon him by the present machinery of the law, I hail the occasion this measure gives us of at once effecting a great improvement in relieving the Irish occupier, and especially the poor occupier, from an important portion of his burden, and of providing a more ample, a more uniform and a better regulated source of income for the relief of some during the sorest of human wants and afflictions. The general framework of this plan will only be developed when the third of the dates I have mentioned is reached. It will be the duty of the Commission to report to the Queen that provision is made for all the prior purposes contemplated in the Act; and it will be their duty also to report from time to time what is the amount of surplus revenue available for these ulterior purposes, the whole of which are enumerated in the Bill. I will not trouble the Committee now by reading them. I will not say whether or not it may be necessary to resort to further subsidiary legislation; but these sums would be administered, not under any system wholly new; they would be administered upon principles and according to rules which are already in partial and limited operation in Ireland. We shall escape altogether that which is called the religious difficulty; because we only propose to continue to stand upon ground, the firmness and solidity of which we have already ascertained by experience; as we shall make these sums available for their destined application, probably in most cases through the medium, and in all cases under the control—and that we provide in the Bill—of the Poor Law Commissioners for Ireland. I have mentioned lunatics first, because the provision to be made for lunatics is the largest of all. Next to these in order is the

The application of the residue no infringement of the sacredness of Church property.

purpose of making a satisfactory provision for the training and instruction of the deaf and dumb, and of the blind. I beg the Committee to understand that I am not now speaking of institutions in which the deaf, the dumb, and the blind are to be mewed up for life; but simply of schools in which they may receive that kind of instruction which they are capable of receiving for their own benefit; then to go out again into the world, and to play their part, to the extent which Providence may permit, as useful members of society. We believe that a good system in aid of the Poor Law may be provided for that class of persons at an expense of about 30,000*l.* a year; while the ultimate expense of the provision for lunatics would be 185,000*l.* a year. The provision for other forms of mental weakness, besides that I have named—that is, for idiots and others,—might cost about 20,000*l.* a year. There is another provision urgently needed in Ireland; it is a supply of properly trained nurses for the use of paupers and for those poor who are above the rank of paupers. In Ireland, I apprehend I am correct in saying, the medical men of the country are known for their skill; but they are scattered over the country much more thinly than in England. The Unions are large; and the public medical officer cannot be in two places at once. I am sorry to be informed upon good authority that the injuries to health, and even to life, which result from the want of skilled nurses, especially for women in labour, are grievous. The Poor Law Guardians, not unnaturally, shrink from incurring the necessary expense; and they make the requisite provision in very few cases; but for a sum of 15,000*l.* a year competent nurses might be provided in all the Unions of Ireland.

Again, Sir, reformatories and industrial schools languish in Ireland; they receive Parliamentary Grants, but, between Parliamentary Grants and private benevolence, they are inadequately supported. We shall propose to the Committee that they also be included as recipients of possibly 10,000*l.* out of these funds. There is another charge; it is the charge for county infirmaries, to which I must call the particular attention of Irish Members. The infirmary system of Ireland is at present principally charged upon the county cess, and is

a burden on even the poorest occupiers of the land. It is also very imperfect in two particulars. In the first place, it often happens that the infirmary of the county, though in the capital of the county, is not central; and, although it is supported by taxes levied from the whole county, it is really a benefit only to a very small portion of it. In the second place, the government of these infirmaries is wholly antiquated and unsuitable, and it urgently needs to be reformed. The sum to be claimed by the county infirmaries and hospitals, may be put down roughly at 51,000*l.* a year.

The general financial result is, that I have pointed to a fund of between 7,000,000*l.* and 8,000,000*l.*, and that the charges which will be most likely to occur under these heads, and which may be assumed from time to time, as we are provided with the means, may amount in all to 311,000*l.* a year. With the provision for all these purposes I think we should be able to combine very great practical reforms; we shall be able to apply strict principles of economy and good administration to all these departments; we shall be able to re-divide Ireland into districts around the county infirmaries, well managed and governed, and so disposed as greatly to increase facility of access to them. Lastly, I have to mention that to which I confess I attach very great value and importance. It should be known that the state of things I have pointed out with regard to the county cess has attracted the attention of Irish Members, and the attention of a Committee of this House; which has recommended that the county cess be put upon the same footing as the poor rate, that the poorer occupiers be relieved, and that the payment be divided between the landlord and the tenant. We certainly shall be in a better condition for inviting the Irish landlord to accede to that change, when we are able to offer, as we shall offer by this plan, a considerable diminution of the burden of the county cess. And I anticipate that we shall be able to propose an alteration of this kind in the present law. This is, in general terms, the mode in which we propose to apply the residue; and I feel quite satisfied that I am justified both in inviting to it the serious attention of the Committee, and in expressing a confident expectation and

belief that the more it is examined the more they will find—passing over objections that may be made to disestablishment and disendowment—it is in itself a good and solid plan, full of public advantage.

I believe I have now gone through the chief among the almost endless arrangements of detail, and I have laid, as well as I am able, the plan of the Government before the Committee. I will not venture to anticipate the judgment of the Committee; but I trust the Committee will be of opinion that it is a plan at any rate loyal to the expectations we have held out on a former occasion, and loyal to the people of England who have believed in our promises. I hope also the Members of the Committee may think that the best pains we could give have been applied in order to develop and mature the measure, and I say thus much with great submission to the judgment of Gentlemen on this and on the other side of the House. For it is a subject of legislation so exceedingly complex and varied that I have no doubt there must be errors, there must be omissions, and there may be many possible improvements; and we shall welcome from every side, quite irrespective of differences of opinion on the great outlines of the measure, suggestions which, when those outlines are decided upon, may tend to secure a more beneficial application of these funds to the welfare of the people of Ireland. I trust, Sir, that although its operation be stringent, and although we have not thought it either politic or allowable to attempt to diminish its stringency by making it incomplete, the spirit towards the Church of Ireland, as a religious communion, in which this measure has been considered and prepared by my Colleagues and myself, has not been a spirit of unkindness. Perhaps at this moment I can hardly expect—it would be too much to expect—to obtain full credit for any declaration of that kind. We are undoubtedly asking an educated, highly respected, and generally a pious and zealous body of clergymen to undergo a great transition; we are asking a powerful and intelligent minority of the laity in Ireland, in connection with the Established Church, to abate a great part of the exceptional privileges they have enjoyed; but I do not feel that in making

this demand upon them we are seeking to inflict an injury. I do not believe they are exclusively or even mainly responsible for the errors of English policy towards Ireland; I am quite certain that in many vital respects they have suffered by it; I believe that the free air they will breathe under a system of equality and justice, giving scope for the development of their great energies, with all the powers of property and intelligence they will bring to bear, will make that Ireland which they love a country for them not less enviable and not less beloved in the future, than it has been in the past.

As respects the Church, I admit that we are asking it to make a great sacrifice. I do not know in what country so great a change, so great a transition has ever been proposed for the ministers of a religious communion, who have enjoyed for many ages the preferred position of an Established Church. I can well understand that to many in the Irish Establishment such a change appears to be nothing less than ruin and destruction. From the height on which they now stand to the apparent abyss into which they think they will have to descend, it seems to be a heavy fall. In this change there is something that recalls the words used in *King Lear*, when Edgar endeavours to persuade Gloster that he has fallen over the cliffs of Dover, and says:—

“Ten masts at each make not the altitude,  
Which thou hast perpendicularly fallen;  
Thy life's a miracle.”

And yet, but a little while after, the old man is relieved from his delusion, and finds his limbs are whole; he has not fallen at all. So I trust that when, instead of the fictitious and adventitious aid on which we have too long taught the Irish Establishment to lean, it shall come to place its trust in its own resources, in its own great mission, in all that it can draw from the energy of its ministers and its members, and the high hopes and promises of the Gospel that it teaches, it will find that it has entered upon a new era of existence—an era bright with hope and promise, powerful and fruitful for good. At any rate, and be this as it may, the day has certainly come when an end is finally to be put to that union, not



between the Church as a religious association, but between the Establishment, and the State, an union which was commenced under circumstances little auspicious, and which has endured too long to be a source of unhappiness to Ireland, and of discredit and scandal to England.

→ There is more to say. This measure is in every sense a great measure; great in its principle, great in the multitude of its dry, technical, but yet interesting detail; and great, moreover, as a testing measure; for it will show, for one and all of us, of what metal we are made. Upon us all it brings a great responsibility; most and foremost upon those who occupy this Bench. We especially are chargeable—nay, we are deeply guilty, if we have either dishonestly, as some think, or even prematurely or unwisely, challenged so gigantic an issue. I know well the punishments that justly follow upon rashness in public affairs; that fall, and that ought to fall upon those Phætons of politics who, with hands unequal to the task, attempt to guide the chariot of the Sun. But the responsibility, though heaviest for us, is not ours exclusively; it presses upon every man who has to take part in the discussion and decision of this Bill. Every man approaches the discussion under the most solemn obligations to raise the level of his vision, and expand its scope, in proportion with the greatness of the matter with which he has to deal. The working of our constitutional government itself is upon its trial; for I do not believe there ever was a time when the wheels of legislative machinery were set in motion, under the conditions of peace, and order, and constitutional regularity, to deal with a question greater or more profound. And more especially, Sir, is involved the credit and fame of this great Assembly. This Assembly, which has inherited through many ages the accumulated honours of so many brilliant triumphs, of peaceful but courageous legislation, is now called upon to address itself to a task, which would, indeed, have demanded all the best energies of the very best among your fathers and your ancestors. I believe it will prove to be worthy of the task. Should it fail, even the fame of the House of Commons will suffer some disparagement; should it succeed, even that fame, I venture to say, will receive no

small, no insensible addition. I must not ask Gentlemen opposite to concur in this view, even emboldened as I am by the kindness they have shown me in listening with patience to a statement which to them could not have been other than unacceptable; but I pray them yet to bear with me for a single moment, while, for myself and my Colleagues, I say we are sanguine of the issue. We believe, and for my part I am deeply convinced, that when the final consummation shall arrive, when the words are spoken that shall give the force of law to the work embodied in this measure—the work of peace and justice—those words will be echoed from every shore where the sorrow of Ireland or the fame of Great Britain has been known, and the answer to them will come back in the approving verdict of civilized mankind.

I move, Sir, for leave to bring in a Bill to put an end to the Establishment of the Church of Ireland.

THE END.



ALBEMARLE STREET,  
March, 1869.

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Exemption of the Army from the ordinary Process of Law.

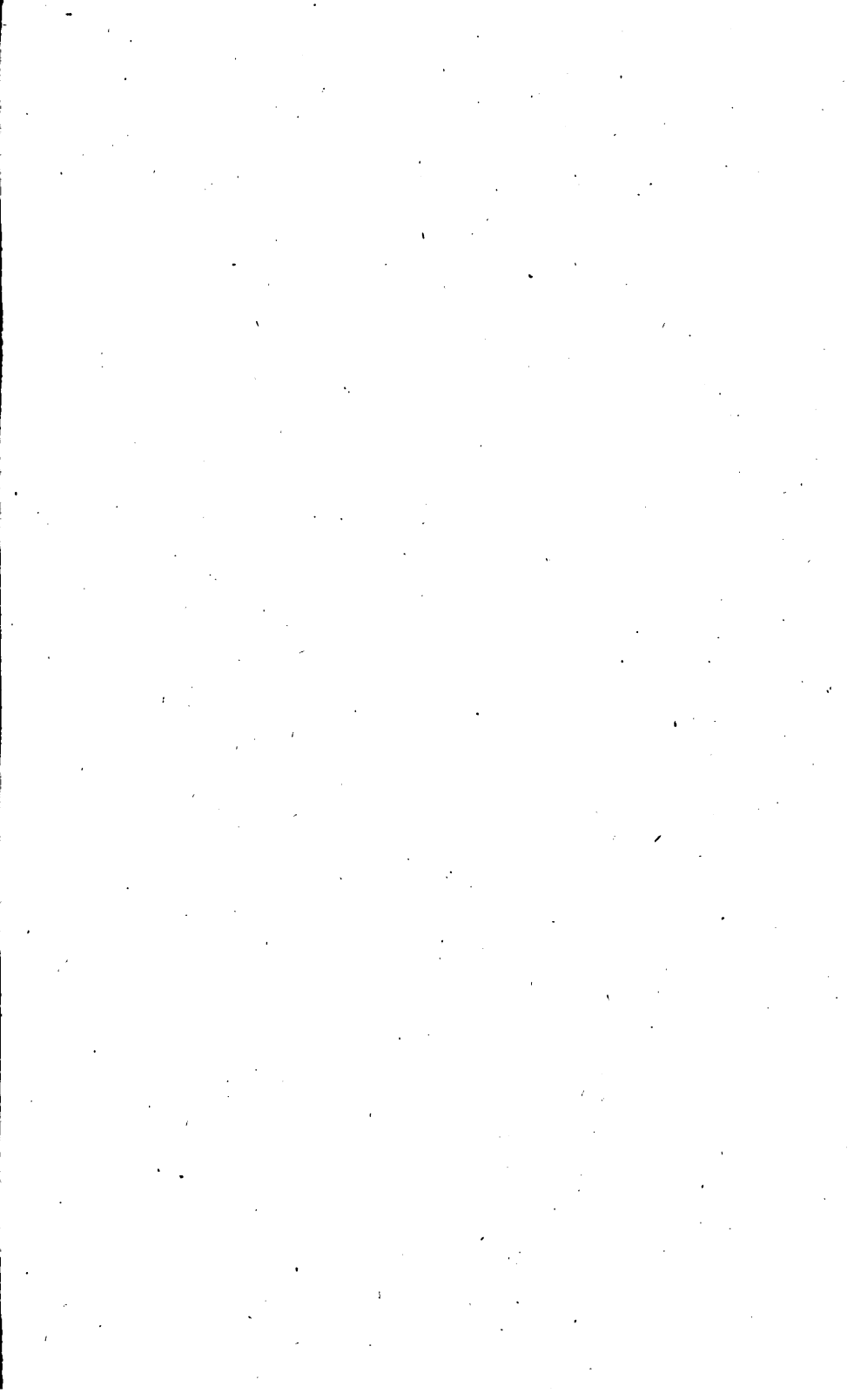
Movement and Quartering of Troops.

Barack Department.

Increase in the Standing Army.

Reserve Forces.

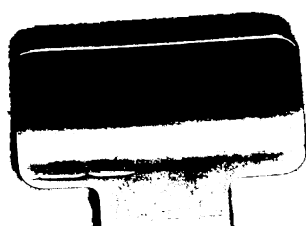
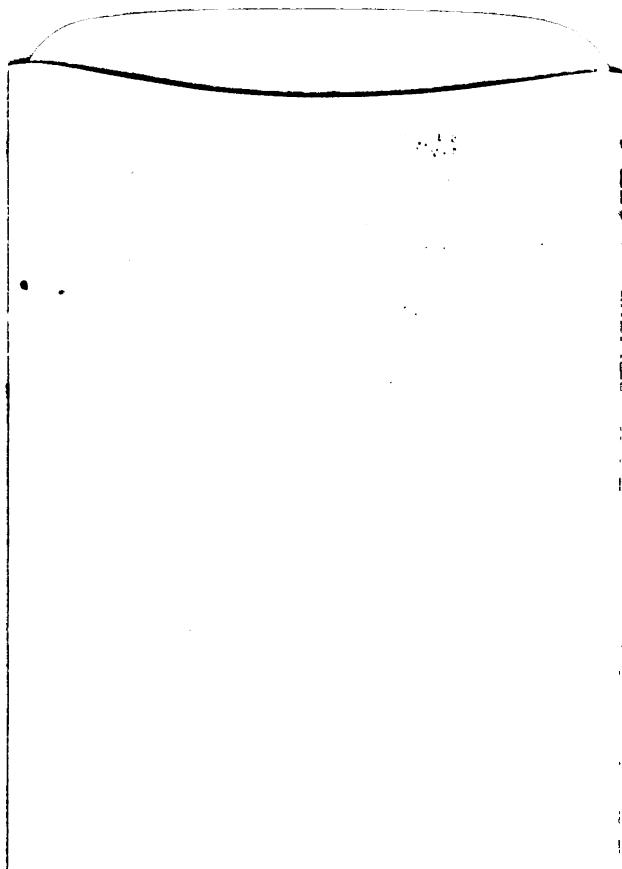
JOHN MURRAY, ALBEMARLE STREET.



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